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THE NEW YORKER

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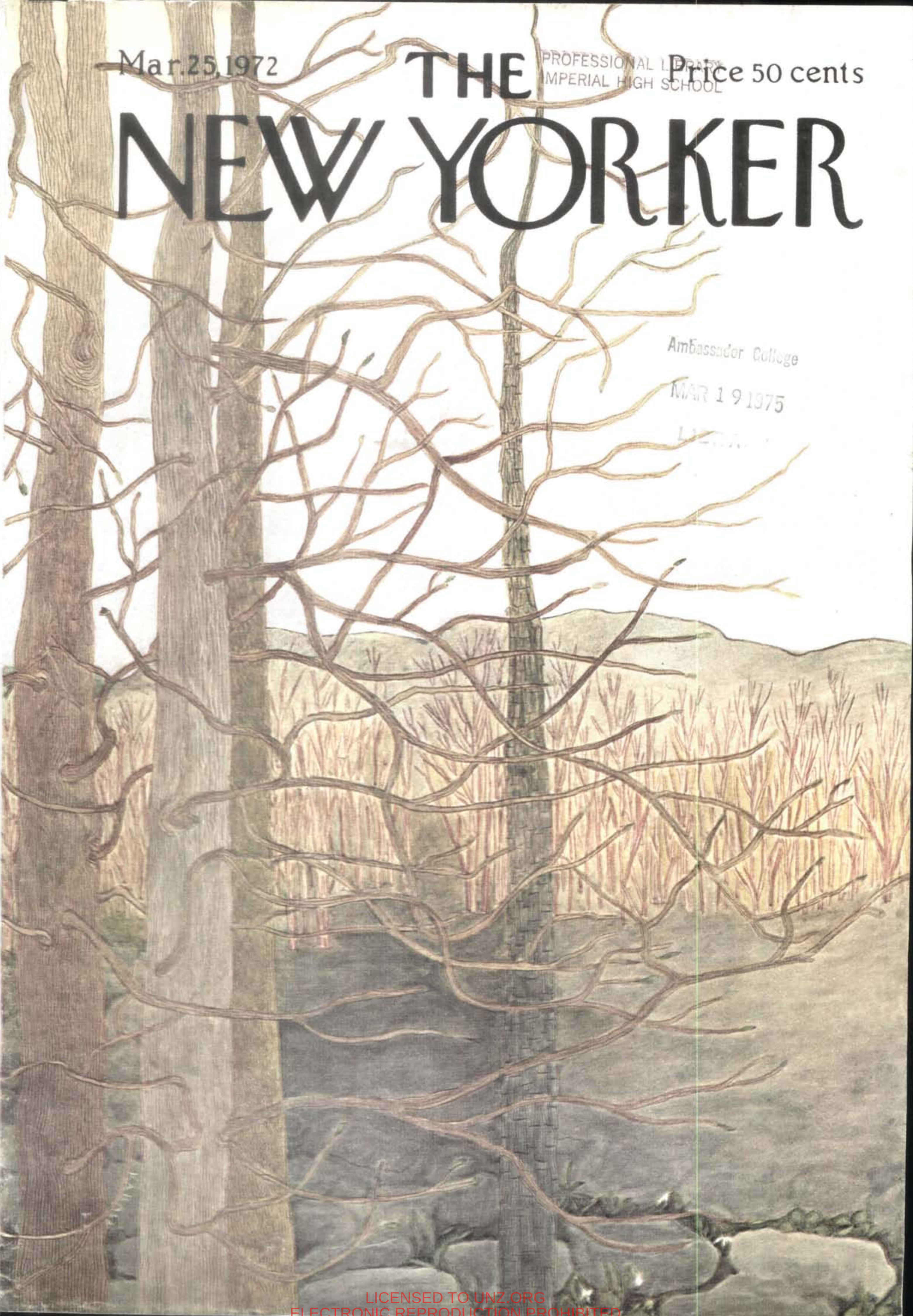

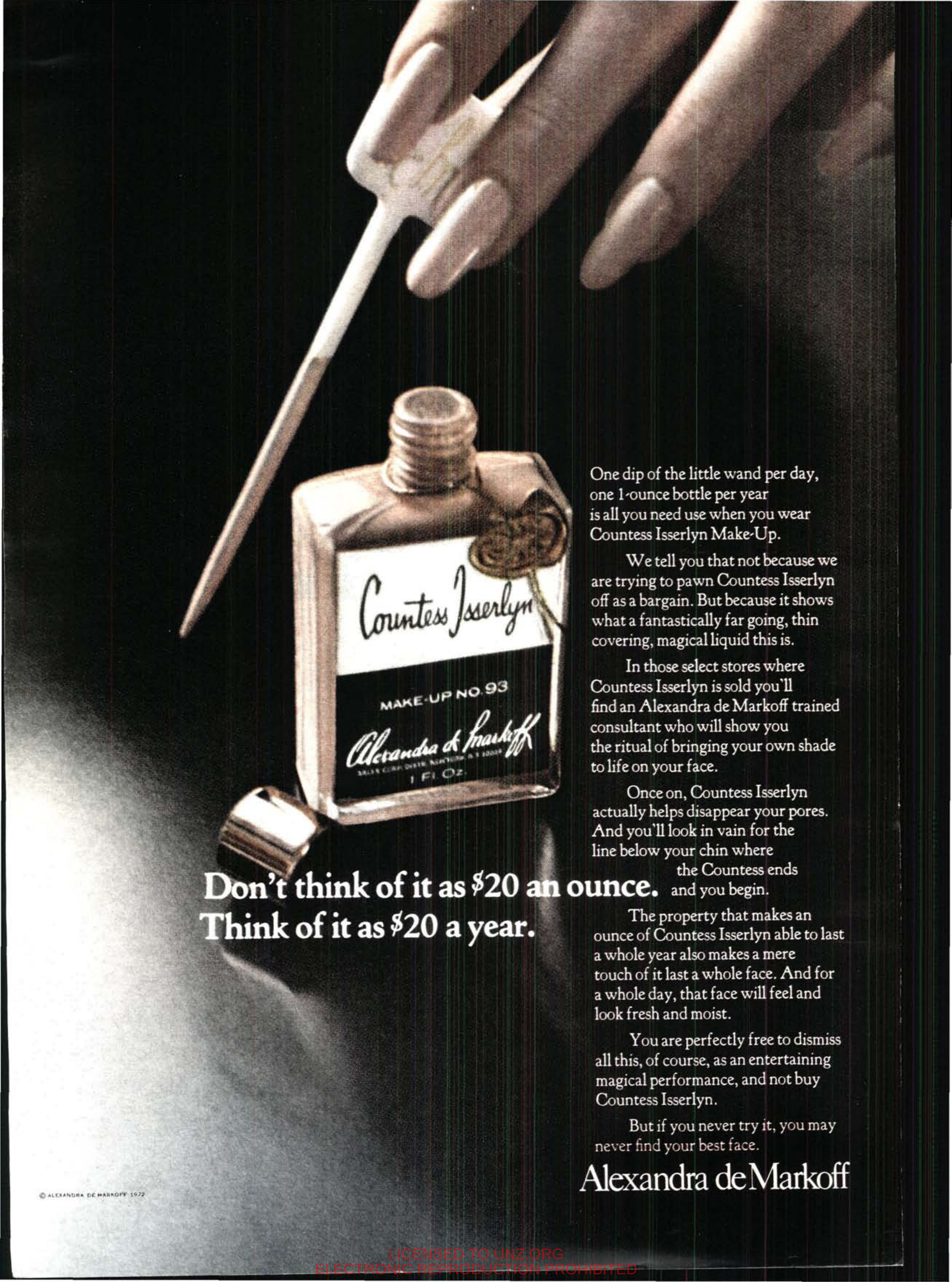

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GOINGS ON ABOUT TOWN

A CONSCIENTIOUS CALENDAR OF EVENTS OF INTEREST

S	M	T	W	T	F	S
			22	23	24	25
26	27	28	29	30	31	1

THE THEATRE

(E. and W. mean East and West of Broadway.)

PLAYS AND MUSICALS

Aint Supposed to Die a Natural Death—A bitter, funny, and affecting musical by Melvin Van Peebles. The cast is all black and superb. (Ambassador, 49th St., W. 265-1855. Wednesdays through Sundays at 7:30. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.)

Alice in Wonderland—A limited return engagement of André Gregory's startling and outrageous production, with no Freudian implication overlooked and with many references to drugs. The Caterpillar scene is very funny, and the Mad Tea Party is very mad. (Performing Garage, 33 Wooster St. 925-8712. Wednesdays through Sundays at 8.)

A Ballet Behind the Bridge—David Downing gives a splendid performance as a studious young Trinidadian about to take up a scholarship in this city, and Gilbert Lewis is good, too, as his criminal brother on the run. Lennox Brown's play, though overwritten, is sporadically very effective, and it is set, for the most part, in a slum district of Port of Spain. Douglas Turner Ward directed. (St. Marks Playhouse, 133 Second Ave., at St. Marks Pl. OR 4-3530. Tuesdays through Fridays at 8:30; Saturdays at 7 and 10:30; and Sundays at 7:30. Matinées Sundays at 3. Closes Sunday, April 16.)

The Beggar's Opera—A revival of John Gay's eighteenth-century musical. (Chelsea Theatre Center, Brooklyn Academy of Music, 30 Lafayette Ave. ST 3-2434. Tuesdays at 7:30; Wednesdays through Saturdays at 8:30; and Sundays at 7:30. Matinées Sundays at 3.)

The Black Terror—The hero of this very interesting play by Richard Wesley about a group of black revolutionaries is their chosen assassin, who argues in favor of strategy over zeal, and of life over death and martyrdom. A wonderful young actor named Kain makes his début in the role. Nathan George directed the lively production. (Public, 425 Lafayette St. 677-6350. Nightly at 7:30. Matinées Saturday and Sunday at 3. Closes Sunday, March 26.)

Black Visions—Four one-act plays by three authors: Neil Harris, Sonia Sanchez, and Richard Wesley. Opens Wednesday, March 22. (Public, 425 Lafayette St. 677-6350. Nightly, except Mondays, at 7:30. Matinées Saturdays and Sundays at 3.)

The Country Girl—A revival of the Odets play of 1950, which wasn't very good even then. Maureen Stapleton, Jason Robards, and George Grizzard are all fine in the three big roles. (Billy Rose, 41st St., W. 947-5510. Nightly, except Sundays, at 7:30. Matinées Wednesdays and Saturdays at 2.)

Equity Library Theatre—Richard Rodgers' musical **no strings** has become a period piece—and a charming one—in the ten years since it opened on Broadway. The setting is Paris, the story is of a love affair between a white American novelist and a black American fashion model, the score is rich and tuneful, and this miniature revival captures much of the wistfulness and spirit of the original. (Master, 103rd St. and Riverside Dr. Wednesday through Saturday at 8:30. Matinées Saturday and Sunday at 2:30. Closes Sunday, March 26. For information about tickets, for which contributions are requested, call 663-2028.)

Grease—A musical (score, book, and lyrics by Jim Jacobs and Warren Casey) that parodies, by faithful imitation, the songs and dances of the nineteen-fifties. Your attitude toward the show may well depend upon your attitude toward that tiresome decade, or upon the fragility of your eardums; microphones abound. The young cast performs capably and with spirit. (Eden, 189 Second Ave., at 12th St. 260-5200. Nightly, except Mondays, at 7:30. Matinées Saturdays and Sundays at 2:30.)

Jamimma—A first play by Martie Evans-Charles, directed by Shauneille Perry. (Henry Street Settlement Playhouse, 466 Grand St. OR 4-1414. Friday through Sunday, March 24-26, at 8:30.)

Jesus Christ Superstar—The New Testament taking its now usual drubbing at the hands of the young, who plainly believe they are making it "relevant." The music is pleasing, and so are the performers. (Mark Hellinger, 51st St., W. 757-7064. Nightly, except Sundays, at 7:30. Matinées Wednesdays and Saturdays at 2.)

Kaddish—A gloomy, non-dramatic adaptation of Allen Ginsberg's poem. (Circle in the Square, 159 Bleecker St. 473-6778. Tuesdays through Fridays at 7:30; Saturdays at 7 and 10; and Sundays at 7:30. Matinées Sundays at 3.)

Love Me, Love My Children—This musical from Canada has a lively and stylish score by Robert Swerdlow, and it is performed with snap and sparkle by an especially engaging young company. The words, also by Mr. Swerdlow, are unobtrusive. (The theme is tribal youth again.) Setting by Jo Mielziner. (Mercer Arts Center, 240 Mercer St., at W. 3rd St. 673-3937. Wednesdays and Thursdays at 7:30, and Fridays and Saturdays at 7:30 and 10:30. Matinées Wednesdays at 2 and Sundays at 3.)

Misalliance—Ruth Warrick and Hugh Franklin in the Shaw comedy. Opens Wednesday, March 22. (Roundabout, 307 W. 26th St. 924-7161. Opening-night curtain at 7; thereafter, Tuesdays through Saturdays at 8, and Sundays at 7. Matinées Saturdays and Sundays at 3.)

Night Watch—Not a good thriller, but an amiable evening in the theatre. Joan Hackett and Len Cariou are the stars. (Morosco, 45th St., W. 246-6230. Tuesdays through Saturdays at 7:30. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.)

Only Fools Are Sad—An English-language version of an Israeli musical by Dan Almagor. (Edison, 240 W. 47th St. 757-7164. Nightly at 7:30. Matinées Wednesday and Saturday at 2, and Sunday at 3. Closes Sunday, March 26.)

The Prisoner of Second Avenue—Neil Simon writes the funniest lines in the world, and Lee Grant and Peter Falk deliver them superbly. Directed by Mike Nichols. (Eugene O'Neill, 49th St., W. 246-0220. Nightly, except Sundays, at 7:30. Matinées Wednesdays and Saturdays at 2.)

Rain—Sadie T. and all that wet weather. Madeleine le Roux has the title role. Preview Wednesday, March 22. Opens officially on Thursday, March 23, at 6:45. (Astor Place Theatre, 434 Lafayette St., near Astor Pl. 254-4370. Tuesdays through Fridays at 7:30; Saturdays at 7 and 10:30; and Sundays at 7:30. Matinées Sundays at 3.)

Repertory Theatre of Lincoln Center—Shake-

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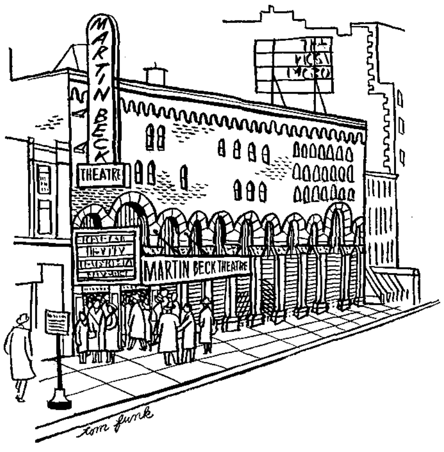
GOINGS ON ABOUT TOWN



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speare's comedy **TWELFTH NIGHT.** (Vivian Beaumont, 150 W. 65th St. 362-7616. Tuesdays through Saturdays at 8, and Sundays at 7:30. Matinées Saturdays and Sundays at 2. Closes Saturday, April 8.)... ¶ At the Forum, in the same building: Ed Bullins' play **THE DUPLEX.** (Tuesdays through Saturdays at 8, and Sundays at 7:30. Matinées Saturdays and Sundays at 2. Closes Saturday, April 1.)

THE SELLING OF THE PRESIDENT—Pat Hingle, Karen Morrow, and Barbara Barrie in a musical version by Jack O'Brien and Stuart Hample of the book of the same name by Joe McGinniss. Bob James composed the score, and Mr. O'Brien is responsible for the lyrics. Robert H. Livingston directed. Previews through Monday, March 27. Opens officially on Tuesday, March 28. (Shubert, 44th St., W. 246-5990. Nightly, except Sundays, at 7:30; opening-night curtain at 6:45. Matinées Wednesdays and Saturdays at 2.)

THE SHADOW OF A GUNMAN—A revival of Sean O'Casey's fine first play about the Irish troubles in 1920 as they affect a young poet in a Dublin tenement. Under Philip Minor's admirable direction, the performance is always clear and sometimes eloquent. With Paddy Croft and Bernard Frawley. (Sheridan Square Playhouse, 99 Seventh Ave. S., at Sheridan Sq. CH 2-3432. Tuesdays through Fridays at 7:30; Saturdays at 7 and 10; and Sundays at 7:30. Matinées Sundays at 3.)

STICKS AND BONES—David Rabe, author of "Pavlo Hummel," has pulled off the impressive feat of writing a highly stylized comedy about the suffering of a young veteran of Vietnam and his family. The acting, under Jeff Bleckner's direction, is all that any playwright could wish for. (Golden, 45th St., W. 246-6740. Tuesdays through Saturdays at 7:30. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.)

TWIGS—A play about four women (all of them played by the incomparable Sada Thompson) and the men who live with her/them, not always equably. The author is George Furth and the director Michael Bennett. (Plymouth, 45th St., W. 246-9156. Nightly, except Sundays, at 7:30. Matinées Wednesdays and Saturdays at 2.)

TWO GENTLEMEN OF VERONA—Joe Papp's delightful musical version of a silly Shakespeare play. Book by Mel Shapiro and John Guare, who also wrote the lyrics that accompany Galt MacDermot's attractive music. The cast includes Raul Julia, Clifton Davis, Jonelle Allen, and Diana Davila. (St. James, 44th St., W. 695-5858. Nightly, except Sundays, at 7:30. Matinées Wednesdays and Saturdays at 2.)

UHURUH—A musical with a book, music, and lyrics by Danny Duncan. (City Center Downstairs, 131 W. 55th St. 586-3325. Tuesdays through Thursdays at 7:30; Fridays and Saturdays at 7 and 10; and Sundays at 7:30.)

VIVAT! VIVAT REGINA!—A brisk and often witty and yet disappointingly thin scenario of the turbulent days of Elizabeth I and Mary Queen of Scots. Written by Robert Bolt, and starring Claire Bloom and Eileen Atkins. (Broadhurst, 44th St., W. 246-6699. Nightly, except Sundays, at 8. Matinées Wednesdays and Saturdays at 2.)

WALK TOGETHER CHILDREN—Vinie Burrows, an appealing and accomplished actress, in a revival of her one-woman show made up of prose, poetry, and song by black authors. (Mercer Arts Center, 240 Mercer St., at W. 3rd St. 673-3937. Tuesdays through Thursdays at 7:30, and Fridays and Saturdays at 7:30 and 10:30. Matinées Sundays at 3.)

WANTED—Al Carmines has written a tuneful, spirited score for this try at a satire, and the cast is good, too, but the facetious, unfunny, preachy book, by David Epstein, spoils the show. (Cherry Lane, 38 Commerce St. YU 9-2020. Tuesdays through Fridays at 7:30; Saturdays at 7 and 10:15; and Sundays at 7:30. Matinées Sundays at 3.)

THE WEB AND THE ROCK—A play by Dolores Sutton, based on Thomas Wolfe's novel and starring James Naughton and Miss Sutton. Directed by José Ferrer. (Theatre de Lys, 121 Christopher St. WA 4-8782. Tuesdays through Fridays at 7:30; Saturdays at 10; and Sundays at 7:30. Matinées Saturdays at 5 and Sundays at 2:30.)

LONG RUNS—**APPLAUSE:** A musical descendant of the old movie "All About Eve." With Anne Baxter, Janice Lynde, and Brandon Maggart. (Palace, Broadway at 47th St. 757-2626. Nightly, except Sundays, at 7:30. Matinées Wednesdays and Saturdays at 2.)... **THE BASIC TRAINING OF PAVLO HUMMEL:** This play by David Rabe, about the progress of a young soldier through training camp to combat (and death) in Vietnam, is a remarkable achievement indeed, and it is matched by Jeff Bleckner's direction. (Public, 425 Lafayette St. 677-6350. Nightly, except Mondays, at 7:30. Matinées Saturdays and Sundays at 3. Closes Sunday, April 2.)... **BUTTERFLIES ARE FREE:** Gloria Swanson, Dirk Benedict, and Pamella Bellwood are now in this machine-made comedy that guarantees a laugh a minute, or maybe two minutes. (Booth, 45th St., W. 246-5969. Tuesdays through Saturdays at 7:30. Matinées Wednesdays, Saturdays, and Sundays at 2.)... **THE EFFECT OF GAMMA RAYS ON MAN-IN-THE-MOON MARIGOLDS:** What matters most in this domestic drama is the character of its wisecracking, scornful, and very touching heroine—the down-at-heels mother of two cowed daughters. (New Theatre, 154 E. 54th St. 752-0440. Tuesdays through Fridays at 7:30, and Saturdays at 7 and 10. Matinées Wednesdays at 2 and Sundays at 3.)... **FOLLIES:** Stephen Sondheim's songs and Harold Prince's exuberant production make up for a dreary book about dreary people. Alexis Smith is triumphant as an old Follies girl who has come up in the world. (Winter Garden, Broadway at 50th St. 245-4878. Tuesdays through Saturdays at 7:30. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.)... **GODSPELL:** A musical adaptation of the Book of Matthew, and once a numbing prologue is over, it becomes a joyful celebration of theatre itself. Songs by Stephen Schwartz. (Promenade, 2162 Broadway, at 76th St. 799-7690. Tuesdays through Fridays at 7:30; Saturdays at 7 and, except April 1, at 10; and Sundays at 7:30. Matinées Sundays at 3; special matinée Saturday, April 1, at 2:30.)... **LENNY:** Cliff Gorman gives a sensationally good performance as the late standup comic Lenny Bruce. (Brooks Atkinson, 47th St., W. 245-3430. Tuesdays through Saturdays at 7:30. Matinées Wednesdays and Saturdays at 2, and Sundays at 3.)... **JACQUES BREL IS ALIVE AND WELL AND LIVING IN PARIS:** 1,733 performances so far. (Village Gate, 160 Bleecker St. 982-5020. Tuesdays through Fridays at 7:30; Saturdays at 7; and Sundays at 7:30. Matinées Saturdays and Sundays at 3.)... **THE FANTASTICKS:** 4,951 performances so far. (Sullivan Street Playhouse, 181 Sullivan St., at Bleecker St. 674-3838. Tuesdays through Thursdays at 7:30; Fridays at 8; Saturdays at 7 and 10; and Sundays at 7:30. Matinées Sundays at 3.)... **FIDDLER ON THE ROOF:** 3,129 performances so far. (Broadway Theatre, Broadway at 53rd St. 247-7992. Tuesdays through Saturdays at 7:30. Matinées Wednesdays and Saturdays at 2, and Sundays at 2:30)... **HAIR:** 1,636 performances so far. (Biltmore, 47th St., W. 582-5340. Nightly, except Mondays, at 7:30. Matinées Saturdays at 2 and Sundays at 3.)... **NO, NO, NANETTE:** A revival of that immortal work of the twenties. With Ruby Keeler, Bobby Van, and Helen Gallagher. (46th Street Theatre, 46th St., W. 246-4271. Nightly, except Sundays, at 7:30. Matinées Wednesdays and Saturdays at 2.)... **OH! CALCUTTA!:** A collection of short sketches that purport to give us a refreshing view of sex and do not. (Belasco, 44th St., E. 586-7950. Nightly, except Sundays, at 8. Matinées Wednesdays and Saturdays at 2.)... **ONE FLEW OVER THE CUCKOO'S NEST:** Dale Wasserman's hack adaptation of Ken Kesey's novel set in an insane asylum. (Mercer Arts Center, 240 Mercer St., at W. 3rd St. 673-3937. Wednesdays and Thursdays at 7:30, and Fridays and Saturdays at 7 and 10:30. Matinées Wednesdays at 2 and Sundays at 3.)... **THE PROPOSITION:** An improvised revue with six good-humored young players from Boston. It is all pretty amateurish, but there are a few bright spots of mimicry. (Mercer Arts Center, 240 Mercer St., at W. 3rd St. 673-3937. Thursdays at 7:30; Fridays and Saturdays at 7:30 and 10:30; and Sundays at 7:30. Matinées Sundays at 3.)... **SLEUTH:** Paul Rogers and Keith Baxter in a mystery by Anthony Shaffer. Starting Monday, March 27, Brian Murray will replace Mr. Baxter. (Music Box, 45th St., W. 246-4636. Nightly, except Sundays, at 7:30. Matinées Wednesdays and Saturdays at 2.)

BALLET AND DANCE PROGRAMS

CITY CENTER JOFFREY BALLET—Wednesday evening, March 22: "Moves," "Meadowlark," and "The Green Table."... ¶ Thursday evening, March 23: "Moves," "After Eden," "Confetti," and "Astarte."... ¶ Friday evening, March 24: "Meadowlark," "Feast of Ashes," and "Astarte."... ¶ Saturday matinée, March 25: "Square Dance," "Konservatoriet," and "The Green Table."... ¶ Saturday evening, March 25: "Meadowlark," "Feast of Ashes," and "Chabriesque."... ¶ Sunday matinée, March 26: "Konservatoriet," "Confetti," and "Chabriesque."... ¶ Sunday evening, March 26: "Square Dance," "Weewis," and "The Green Table." ... ¶ Tuesday evening, March 28: "Chabriesque," "The Lesson," and "Trinity."... ¶ Wednesday evening, March 29: "Meadowlark," "Weewis," and "Astarte."... ¶ Thursday evening, March 30: "Reflections," "Valentine," "After Eden," and "Chabriesque." ... ¶ Friday evening, March 31: "Kettentanz," "Feast of Ashes," and "Astarte."... ¶ Saturday matinée, April 1: "Meadowlark," "Feast of Ashes," and "Chabriesque."... ¶ Saturday evening, April 1: "Kettentanz," "Double Exposure," and "Trinity." (City Center, 131 W. 55th St. 246-8989. Evenings at 8. Matinées at 2. Through Sunday, April 2.)

NETHERLANDS DANCE THEATRE—Opening performances of a two-week engagement that will run through Sunday, April 9—Tuesday, March 28, at 7:30, and Wednesday, March 29, at 8: "Mutations" and "Imaginary Film."... ¶ Thursday and Friday, March 30-31, at 8: "Squares," "Journal," and "Small Parades." ... ¶ Saturday, April 1, at 8: "Situation," "Concerto Grosso," "Gross Fuge," and "Hi-Kyo." (Brooklyn Academy of Music, 30 Lafayette Ave. ST 3-2434.)

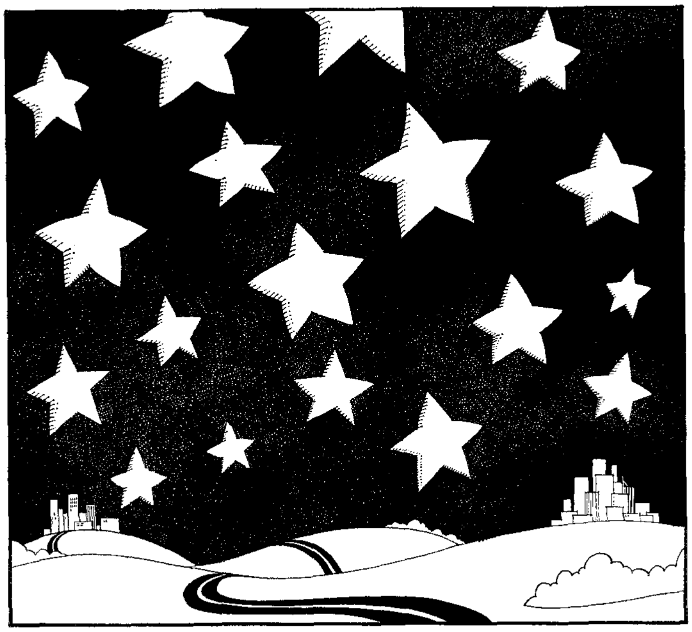
MARTHA GRAHAM—The first in a subscription series of studio performances of works by Miss Graham and other choreographers performed by an ad-hoc company of leading dancers. (Martha Graham Center, 316 E. 63rd St. Wednesday through Friday, March 22-24, at 8:30, and Saturday and Sunday, March 25-26, at 3 and 8:30. For tickets, call 832-8509.)

ROD RODGERS DANCE COMPANY—A chamber concert. (Public Theatre, 425 Lafayette St. 677-6350. Sunday, March 26, at 3.)

MISCELLANY

THE CIRCUS—Ringling Brothers and Barnum & Bailey's three hundred performers and two hundred animals will arrive aboard their thirty-car private railroad train on Tuesday, March 28, for a nine-week visit running through Monday, May 29. (Madison Square Garden, Eighth Ave. between 31st and 33rd Sts. 564-4400. Tuesday, March 28, at 7:30; Thursday and Friday, March 30-31, at 2 and 7:30; and Saturday, April 1, at 10:30, 3, and 8. The doors open an hour before show time for those who like to roam around the menagerie.)

TOUR OF CHAMPIONS—*An exhibition by the figure-skating winners of the 1972 World*



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GOINGS ON ABOUT TOWN

Championships. (Madison Square Garden, Eighth Ave. between 31st and 33rd Sts. 564-4400. Sunday, March 26, at 2.)

A Celebration of Richard Rodgers—Mary Martin, Leonard Bernstein, Gordon MacRae, Celeste Holm, Giorgio Tozzi, Bobby Short, Benay Venuta, and John Reardon will be among those taking part in a benefit tribute to Mr. Rodgers. (Imperial Theatre, 249 W. 45th St. Sunday, March 26, at 8. For tickets, call LE 4-1672.)

Blue Hill Troupe—Presenting benefit performances of Gilbert and Sullivan's "The Grand Duke." (Hunter College Playhouse, Park Ave. at 68th St. Wednesday, March 29, at 8:30; Thursday, March 30, at 7:30; Friday, March 31, at 8:30; and Saturday, April 1, at 2:30 and 8:30. For tickets, call 486-0477.)

Lily Tomlin—Comedienne. (Carnegie Hall. CI 7-7459. Friday, March 31, at 8.)

Mask & Wig Show—A musical, "Now Listen Hear," is this year's University of Pennsylvania undergraduate production. (The Lambs, 130 W. 44th St. Saturday, April 1, at 7:30. For tickets, call 524-6366.)

NIGHT LIFE

(A highly arbitrary listing of places around town where you might pass a pleasant hour or two.)

MOSTLY FOR MUSIC

(No dancing, and no formal dining, either, unless indicated.)

Bitter End, 147 Bleecker St. (475-7804)—The benches haven't got any softer. Paul Williams, who has one of those earnest, heart-in-throat pop voices, will be singing through Monday, March 27. Stevie Wonder, whose heart is much closer to his sleeve, comes in swinging on Wednesday, March 29. Coffee, tea, and water are the drinks. On Tuesdays, ringers fill the regulars' seats.

Boomer's, 340 Bleecker St., at Christopher St. (243-0245)—Everybody looks comfortable enough, whether partaking of soul food or just listening. Thursday through Sunday, March 23-26, Ray Bryant will gig with a bass player. Guitarist Joe Beck's trio starts Thursday, March 30. Music nightly from nine-thirty to three. Mondays, there are jam sessions from eight until twelve.

Bradley's, 70 University Pl. (228-6440)—Equal parts of dining, talking, and relaxing, along with a certain amount of looking at paintings. A jazz combo plays from nine-thirty to one-thirty. Mondays, author-pianist Frank Conroy and a bass player sub for the regulars. Closed Sundays.

Cellar, 70 W. 95th St. (866-1200)—A softly lighted restaurant with an inviting air and a warm ambience. But acoustics play tricks: The jazz area is aurally distinct from the dining area, so for listening it is advisable to sit at the bar. Tuesdays through Saturdays, from ten until four, bassist Earl May leads a quartet that reconstructs standard tunes. Sundays, from eight until two, Gene Bertoncini, playing with a bassist, shows how a guitar can be simultaneously strong and serene. Mondays, from eight until two, Larry Willis, an inventive jazz pianist, leads a duo.

Cookery, 21 University Pl., at 8th St. (OR 4-4450)—One of those *rarae aves* where the music begins reasonably early. Six nights a week, from eight until one, Teddy Wilson—venerable, swinging, and technically faultless—plays from his old hit parade. Al Bruno helps out on bass. Sundays, from seven until midnight, Ralph Towner wanders around on piano and guitar while Glen Moore investigates a bass. Dining.

Gaslight, 152 Bleecker St. (674-2580)—Coffeehouses have their ups and downs, but so far this one has had more of the former. Link Wray, who has been on the scene since the middle nineteen-fifties, will be doing some of his down-home, hit-'em-where-it-hurts rock through Monday, March 27. A bunch called Sweet Pie will share the bill with him. Weather Report, an original and pretty stimulating jazz group, opens Wednesday, March 29. Tuesdays are given over to visiting entertainers.

Gaslight II, 116 Macdougal St. (260-0380)—Pearls Before Swine, under rough-voiced Tom Rapp's leadership, will be telling the audience how sad life can be, from Thursday through Monday, March 23-27. Happy and

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Artie Traum, brothers who have been singing around for a decade, will be getting into country, folk, and blues beginning Thursday, March 30. Singer Doris Abraham will trade sets with them. The quarters are cramped. The refreshments may or may not satisfy El Exigente. Tuesdays are devoted to itinerant musicians.

Guitar, 753 Tenth Ave., at 51st St. (265-9334)—No city of eight million should be without at least one place dedicated to the six-stringed instrument. Through Sunday, March 26, George Barnes will be working with his new partner, Art Ryerson. They play two tuneful, easygoing guitars. Music Wednesdays through Sundays from nine-thirty until two-thirty. A Deep South kitchen.

Half Note, 289 Hudson St., at Spring St. (AL 5-9752)—Competence abounds here, and sometimes there is brilliance, too. Through Sunday, March 26, sax man James Moody will lead a quartet whose other members are Roy Haynes, Ross Tompkins, and John Williams. On Tuesday, March 28, Zoot Sims takes over the leader's spot. On Fridays and Saturdays, blues singer Jimmy Rushing joins in. Light Italian dishes are available. Closed Mondays.

Jacques, 168 Bleecker St., at Sullivan St. (254-5920)—A dim *boîte* where fresh popcorn is sold. Thursday through Sunday, March 23-26, Albert Dailey will be the pianist. Bassist Lyn Christie will join him Friday and Saturday, March 24-25, and Lance Hayward will take to the keyboard Monday through Wednesday, March 27-29.

Jimmy Ryan's, 154 W. 54th St. (CO 5-9505)—Yes, it's true what they say about Dixie. The bandsmen: Roy Eldridge, Eddie Locke, Bobby Pratt, Joe Muranyi, and Chuck Folds. Nine-thirty to three every night but Sunday.

Peewee's, 202 Ave. A, at 12th St. (473-9596)—A plus for the community, despite its dreary location and its bare-bones interior. Thursdays, from eight to two-thirty, Nina Sheldon plays the piano like a dynamo and sings *con brio*. Friday through Sunday, March 24-26, vibist Roy Ayers will lead his forward-looking Ubiquity. Sunday afternoons, from four to eight, the scene switches to folk. Soul-food dinners.

Philharmonic Café, Philharmonic Hall, Lincoln Center. (TR 4-7000)—After the final curtain—or if you just happen to be passing by—this main-floor eatery and drinkery offers sounds from ten until midnight every night but Sunday. Gene Bertoncini, the present sound-maker, is the possessor of a persuasive jazz guitar.

Rafiki, 170 Ave. A, at 11th St. (674-9522)—Jazz and soul food, together, are thought to generate a whole greater than the sum of its parts. A South African drum-and-guitar duo called Malombo will be here through Thursday, March 30. Singer-pianist Irene Reid begins Friday, March 31. Music from nine-thirty until two except Tuesday, March 28, which will be silent.

Red Garter, 15 W. 4th St., which is *east* of Washington Square. (982-4270)—Where "now" people can play at being "then" people, with a vengeance. There is a fire engine, and some stuffed polar bears, and some old movies, and beer, and peanuts, and banjos, the last of which are skillfully plunked. Closed Mondays.

Slugs', 242 E. 3rd St. (677-9727)—A populous

gathering place in a lonesome part of town. Saxophonist Stanley Turrentine will be in charge of a quintet through Sunday, March 26. Larry Coryell, a remarkable if somewhat puzzling guitarist, arrives with a trio Tuesday, March 28. Music from nine. Closed Mondays.

Village Gate, 160 Bleecker St. (GR 5-5120)—A Brazilian guitarist and accordionist named Sivuca will lead a quartet through Sunday, March 26. On Tuesdays, a trio led by Daphne Hellman, whose harp has charms, alternates with the regulars. Mondays are problematical, with new talent turning up. Dining.

Village Vanguard, 178 Seventh Ave. S., at 11th St. (989-9011)—Without this little cellar, the history of jazz would have to be rewritten. Reed specialist Pharoah Sanders will lead his frequently experimental quintet through Sunday, March 26. Rahsaan Roland Kirk, a virtuoso on saxes and various instruments of his own devising, brings in a sextet on Tuesday, March 28. Mondays are reserved for a twenty-piece ensemble led by bassist Charles Mingus. The entertainment begins at nine-thirty, supposedly.

West Boondock, 114 Tenth Ave., at 17th St. (924-9723)—The location—somewhere over the rainspout—shouldn't deter you if walking through dark streets is not a problem. Stained glass, Southern cooking, and amiable waitresses. Satisfying jazz on piano and bass by Nat Jones and Herbie Lewis Monday through Wednesday, and by Lance Hayward and Carl Pruitt Thursday through Sunday. Eight until two.

Your Father's Mustache, Seventh Ave. S. at 10th St. (675-4630)—Each Sunday from six-thirty to eleven, Balaban & Cats play Dixieland with catlike skill. On Sunday, March 26, Wild Bill Davison will drop in to play cornet. People may dance to the jazz. Other nights, other music: the plinking of a happy-time banjo band. The atmosphere: mugs of beer, days of old.

DISCOTHÈQUES AND SUCH

L'Etoile, 1 E. 59th St. (751-7025)—Some glitter, some glow, and dancing to discs, but only on Saturdays, from nine-thirty to one. Dinner and supper are aimed at epicures.

Hippopotamus, 154 E. 54th St. (486-1566)—Animal heads on the walls, and Anglo-Indian mementos all over the place. The *real* mood is oh-how-chic, and since chic is a social variable, the point remains moot. Dancing to 45s from nine-thirty until four. An ample menu except on Sundays, when only couscous is served. Reservations are needed for dining.

Shepheard's, in the Drake Hotel, Park Ave. at 56th St. (HA 1-0900)—Nilotic and pleasantly sybaritic, but given to entertainment of a sort that brings forth visions of some overmerchandised American pie. Three times nightly, five men known as Hi Lads do pop songs. Between sets, people dance to discs. Substantial dining. Closed Sundays.

Thursday's, 57 W. 58th St. (371-7777)—A well-patronized house of pleasure whose two restaurant floors offer soft carpets, a gleaming brass bar, a more subdued bar, and a dance deck that appears to float between floors I and II. Dancing to tapes all afternoon and all evening, ending around three. A fairly complete menu.

Tuesday's, 190 Third Ave., at 17th St. (533-7900)—Dancing to recorded music downstairs (upstairs is for elaborate hamburgers and other funny dishes) from eight until three. The interior design is of the hokey-but-harmless school, Tiffany-lamp division.

CABARETS

(No dancing, and no formal dinner, either, unless indicated.)

Dangerfield's, 1118 First Ave., at 61st St. (593-1650)—Rodney Dangerfield's home base. His non-pattern (and sometimes nonpareil) patter is rough and ready, and it happens to be really funny. Monday through Friday, March 27-31, Will Jordan will fill in for Mr. D. Nourishment at all hours. Closed Sundays.

Downstairs at the Upstairs, 37 W. 56th St. (JU 2-1244)—The helmsman is Marvin Braverman, who puts out the sleight-of-hand humor that makes every listener think he's on the inside looking in; Tina Kaplan and her trio provide the music. They all check out on Saturday, March 25. Closed Sundays.

Improvisation, 358 W. 44th St. (765-8268)—

Estée Lauder's new Wake Up Mask lets your face look rosy and rested, as though you just enjoyed eight hours sleep.

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GOINGS ON ABOUT TOWN

S	M	T	W	T	F	S
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Tryouts for new wits and singers in an establishment that is nothing if not informal. Dinner. Closed Sundays.

MERCER ARTS CENTER, 240 Mercer St., at W. 3rd St. (673-3937)—Arthur Morey and Bobby Paul are singing their own songs about various socially perplexing topics in the second-floor Blue Room Cabaret. They appear on a variable time schedule every night but Monday, usually at nine and sometimes again after ten-thirty. Alternating with them is an E-for-effort bunch of jazz and rock musicians led by pianist-composer Michael Tschudin. They generally begin at nine forty-five. Drinks and snacks.

PLAZA 9, in the Plaza Hotel, Fifth Ave., at 59th St. (PL 9-3933)—A revue christened "Look Me Up" (because it is built around songs of another era) is in service at eight and eleven Tuesdays through Saturdays and at five and eight on Sundays.

BIG DEALS

(Dinner and supper, music, and all that.)

ALPINE CELLAR, in the Hotel McAlpin, Broadway at 34th St. (PE 6-5700)—So Ottilie and Hans are plighting their troth, and all the merry villagers (singing, dancing, oompahing) are getting their big feet into the troth, too. Incomprehensible and cluttery, but fun. Closed Sundays and Mondays.

AMERICANA, Seventh Ave. at 52nd St. (581-1000)—At dinner and supper, the **ROYAL BOX** affords comedian Pat Cooper and singer George Maharis. They withdraw on Saturday, March 25, and the Box will begin a short vacation. A Ray Bloch orchestra and the Arturo Arturos band provide the dance music.

CHÂTEAU MADRID, Lexington Ave. at 48th St. (752-8080)—Los Solera, a troupe of flamencans, are taking turns with Alberto Rochi, who is from the Argentine, and whose tenor is very Spanish. Dancing Tuesdays through Fridays from five-thirty, Saturdays from seven-thirty, and Sundays from four. Closed Mondays. . . . ¶ In the adjoining **FLAMENCO ROOM,** a minute theatre-in-the-round, there occur (well along in the evening) other outbursts of Andalusian foot-and-mouth exercises by a fivesome operating barely inches from one's face. Closed Mondays.

PIERRE, Fifth Ave. at 61st St. (838-8000)—The enchanted woodland known as **LA FORÊT** is in season again, to the tunes of the Peter Duchin orchestra (the young maestro himself is at the moment an absentee landlord). Merely Tuesdays through Saturdays, however, for this enterprise. But the **CAFÉ,** equally de rigueur, has a seven-day week, with Herb Winner's crew calling the tunes Sundays and Mondays, and Phil Wayne's threesome on Tuesdays through Saturdays.

PLAZA, Fifth Ave. at 59th St. (PL 9-3000)—The **PERSIAN ROOM** is occupied at ten during the week, and at dinner and supper every Friday and Saturday by songbird Dusty Springfield. Burt Farber's euphoric orchestra and Mark Monte's band fill in all the coffee breaks. Closed Sundays. . . . ¶ In the **GREEN TULIP,** which old-timers who date back to 1970 will think of as the Edwardian Room, two musicians, cryptically entitled Sig and Gary, tiptoe through the tulips at dinner. Discothèque dancing every night but Sunday from ten until one. . . . ¶ In the **PALM COURT,** it's tea for two to the violin of Sandu Marcu, four-thirty to seven-thirty, and cakes and ale to Ernest Schoen's violin and Jules Kuti's piano, eight to one. No Sunday evenings.

RAINBOW GRILL, 30 Rockefeller Plaza. (PL 7-8970)—Johnnie Ray is a little older now, but he's still smiling through the tears. The dance music starts at eight. Closed Sundays.

ST. REGIS-SHERATON, Fifth Ave. at 55th St. (PL 3-4500)—Gordon MacRae ends his dinner and supper song sessions in the **MAISONETTE** on Saturday, March 25, after which the room will close for a week. The music for featly footing it comes from the George Cort orchestra. Closed Sundays. . . . **LA BOITE,** the next-door sylvan glade, offers only the rustles of eternal spring—the violin of Jani Sarkozi, who shows up for dinner and supper every night but Sunday. . . . ¶ Many hands make light the work load and the sound—a fact demonstrated by the four-handed guitar of Joe Puma and Chuck Wayne that spruces up the already spruce **ST. REGIS ROOM** from nine-thirty on. Closed Sundays and Mondays.

WALDORF-ASTORIA, Park Ave. at 49th St. (EL 5-3000)—Peggy Lee completes her appointed rounds of dinner and supper song recitals on Saturday, March 25, when the **EMPIRE ROOM** shuts down for a week's vacation. Dance tunes by Charles Turecamo and his band and the Felipe Yanez trio. Closed Sundays.

SMALL AND BOUNCY

(Dining but no dancing, except as indicated.)

CAFÉ CARLYLE, Madison Ave. at 76th St. (RH 4-1600): Worldling without end; i.e., Bobby Short and his wiry, wily words and piano. Beverly Peer on bass, Dick Sheridan on timpani—these, as they should be, are his backstops. Closed Sundays and Mondays. . . . **DIONYSOS,** 304 E. 48th St. (758-8240): Right in the lap of the well-known and ever-popular god, and a great place to watch the sun come up behind Mount Olympus. The long watch is eased by Athenian cuisine, Athenian song, Athenian dance music, Athenian glee, and a dollop of American rock. Closed Sundays. . . . **ADONIS,** 1230 Second Ave., at 64th St. (249-2773): A terraced villa up in the hills around Athens (in Kifisia, say), the climate cool but sunny—just right for dancing in the streets. This is carried on by the villagers themselves (visitors may, and do, join in), to music that pops like champagne corks. The music, sometimes larded with song, goes from eight-thirty until four. No Sundays. . . . **A QUIET LITTLE TABLE IN THE CORNER,** belowdecks in the Executive Hotel, 237 Madison Ave., at 37th St. (685-7160): A nineteenth hole—not in the pavement, though, but under it. Piano is the accompaniment, from cocktail time on, and the best of this sound comes from Bubber Johnson, who is in action from nine-thirty until three, Tuesday through Saturday each week. . . . **CHEZ VITO,** 36 E. 60th St. (PL 5-2025): The tune is carried by the perpetual fiddlers three who constitute the local standing army, as well as by the foursome of choristers (Leyna Gabriele, prop., included) who operate on the theory that there's no operetta like a good old one. From dinner until two. Closed Sundays. . . . **MYKONOS,** 349 W. 46th St. (265-1590): The celebrated Aegean island, kept vibrant during the evening by a threesome that cannot be long out of Athens. Closed Sundays. . . . **LA CHANSONNETTE,** 890 Second Ave., at 47th St. (PL 2-7320): Rita Dimitri, who lives in, perches herself on top of a baby grand in the middle of dinner and supper to chirrup the Bal Tabarin songs she's so fond of. Mild dance music starts rustling at eight. Closed Sundays and Mondays. . . . **ASTI,** 13 E. 12th St. (AL 5-9773): One must balance one's diet between the caloric values of *fettuccine* and the impassioned Italianate arias of every waiter, busboy, and barkeep. Closed Mondays.

SMALL AND SERENE

(Dining, but no dancing.)

IPERBOLE, 137 E. 55th St. (759-9720): There is no exaggeration in the name of this museum of modern art, the handiwork of Armando Mei, a restaurateur of distinction. The leisure class in dining is supplemented by a seven-until-one recitation of guitar and song that is nothing if not Roman, for Dino Palermo, the genuine article, is the responsible party. On a lower deck, and one that is distinctly not steerage, a dance triad inhabits a pleasurable Roman grotto from seven-thirty to one-thirty. Signor Palermo has been known to visit this, too, on his rounds. Closed Sundays. . . . **REMBRANDT ROOM,** in the Stanhope Hotel, Fifth Ave. at 81st St. (BU 8-5800): *Concours d'èlègance.* George Feyer's Viennese piano and occasional murmured lyrics (they run from eight-thirty to one Tuesdays through Saturdays) are in precisely the right place. . . . **CHÂTEAU HENRI IV,** 37 E. 64th St. (RE 7-8818): A playhouse big enough for life-size knights in armor (a few are on duty every evening) and their ladies, not to mention a life-size kitchen and bar. The principal knight-errant is George Cardini, who plies a violin. His week runs Tuesday through Saturday, and the fine-arts piano of Herman Arminski follows him wherever he goes. Piano a cappella on Mondays, nothing at all on Sundays. The *voci* in the bar are sometimes too *vive*, but the restaurant is always *piano*. . . . **DRAKE ROOM,** 71 E. 56th St. (HA 1-0900): The old reliable. The piano of Dick Hankinson is audible most of the time between six and one. Sundays, someone or other fills in for him. . . . **SHERRY-NETHERLAND,** Fifth Ave. at 59th St. (EL 5-2800): *Amour-propre* is the mood of this well-appointed realm. On piano is Ronny Whyte, whose course runs from nine until one-thirty every night but Sunday. . . . **THE GRIFFIN,** 313 E. 46th St. (371-4542): A most mannerly household, whose evening hours are assigned to a devout contemplation of (1) what's good to eat (French, often) and (2) what's good to listen to (the intricately architectural piano of Ray Onley, from seven-thirty to eleven). Closed Sundays. . . . **LA BIBLIOTHÈQUE,** 341 E. 43rd St. (689-5445): A hospice at the top of the stairs that lead from far-below First Avenue, and therefore a scenic delight. Tables, a bar, a casual way of life, and (on piano) Norman Rollings, a casual librarian. A lot more fun than F. B. I. in the Library. Eight to one during the week, nine to two on Fridays and Saturdays, and not at all on Sundays. . . . **DOGWOOD ROOM,** 50 E. 58th St. (PL 9-1710): Goldie's New York and its Southern comfort are gone, but Wayne Sanders, part of the sound in that now-lost colony, is again at the piano, five-thirty until one Mondays through Fridays. . . . **MONSIGNORE,** 61 E. 55th St. (EL 5-2070): The Appian Way of life, garnished, from seven until a late bedtime, by a group of ambulatory musicians. Closed Sundays. . . . **JACK DELANEY,** 72 Grove St. (AL 5-7905): Those-were-the-days and all that, relived (and not vicariously, either) by pianist Murray Grand, who was on hand when nightlife ended with the dawn patrol. His hours are Wednesdays through Sundays, from eight to two. . . . **BARCLAY HOTEL,** 111 E. 48th St. (PL 5-5900): On the Barclay Terrace when it's time for cocktails, in the King's Inn when it's time for dinner, and in the Gold Room when it's time to be postprandial, a couple of Lester Lanin outriders make music that cheers. Mondays through Fridays is the scheme. . . . **CARLTON BAR-RESTAURANT,** in the Carlton House, Madison Ave. at 61st St. (838-3000): The embassy for a small, indeterminate, but quite pleasant nation. The diplomatic corps is headed by Ray Hartley, whose piano has a new-wine-in-new-bottles effervescence. Four-thirty to ten-thirty, except for Saturdays and Sundays. . . . **SIGN OF THE DOVE,** 1110 Third Ave., at 65th St. (UN 1-8080): In the bar, Lynn Mullinax produces the proper and joyous sort of piano we would all like to hear more of. Six to one, for him, every night but Sunday and Monday.

ART

(Unless otherwise noted, galleries are open weekdays from around 10 or 11 to between 5 and 6.)

GALLERIES

PAT ADAMS—Lyrical abstractions; through Saturday, April 1. (Zabriskie, 29 W. 57th St. Closed Mondays.)

PIERRE ALECHINSKY—Paintings with Expressionist figurations by a Belgian member of the Cobra group; through Saturday, April 1. (Lefebre, 47 E. 77th St. Closed Mondays.)

MARY BAUERMEISTER—Shiny constructions incorporating pebbles and lenses, some filled out with words and maps; through Saturday, March 25. (Staempfli, 47 E. 77th St.)

HAROLD BAUMBACH—Romantic figurations against flat backgrounds; through Saturday, March 25. (Krasner, 1061 Madison Ave., at 81st St.)

HANS BELLMER—Eighty drawings and prints from 1942 to 1967 by a German Surrealist; starting Tuesday, March 28. (Lerner-Misrachi, 789 Madison Ave., at 67th St.)

BEN BENSON / GEORGE ORTMAN—Geometric compositions. / Emblematic paintings and constructions composed of set-in pieces. (Gimpel, 1040 Madison Ave., at 79th St. Through April 8.)

EDWARD BETTS—Paintings of Maine and California; through April 8. (Midtown, 11 E. 57th St. Closed Mondays.)

HYMAN BLOOM—Drawings and some paintings by a veteran Boston artist whose subjects include rabbis, man's mortality, and the spirit world; starting Tuesday, March 28. (Dintenfass, 18 E. 67th St.)

ILYA BOLOTOWSKY—Paintings and free-standing columns by one of America's pioneer Neo-

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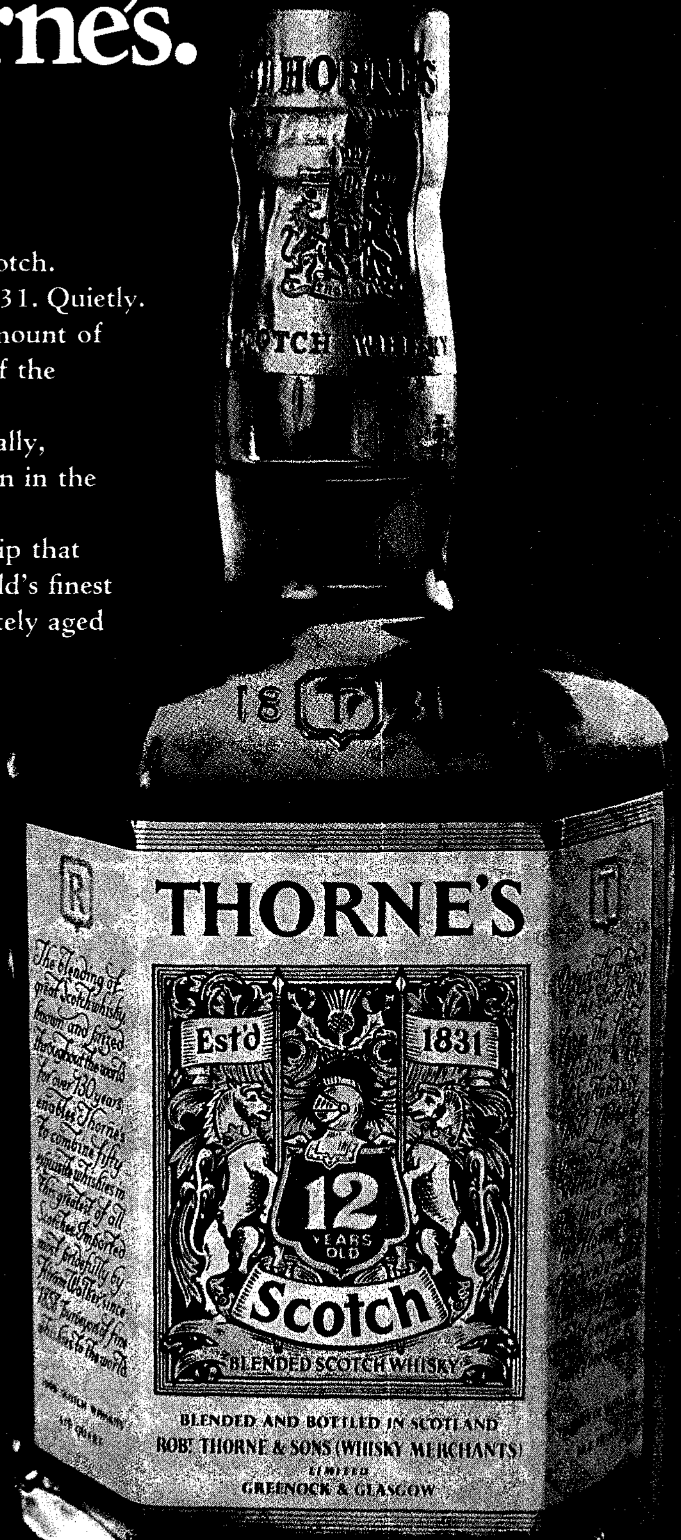
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GOINGS ON ABOUT TOWN

Plasticists; through April 6. (Borgenicht, 1018 Madison Ave., at 70th St. Closed Mondays.)

Henry Botkin—Collage paintings of subjects handled in a semi-abstract mode; through Saturday, April 1. (Rehn 655 Madison Ave., at 60th St.)

Ary Brizzi / Ricardo Garabito—Abstract paintings. / Figurative paintings. (Center for Inter-American Relations, 680 Park Ave., at 68th St. Through April 23. Daily, except Mondays, noon to 6.)

Charles Burchfield (1893-1967)—About eighty drawings and doodles; starting Tuesday, March 28. (Raydon, 1091 Madison Ave., at 82nd St.)

Jack Bush—Shapes in color on one-color grounds, by a Canadian; through Wednesday, March 29. (Emmerich, 41 E. 57th St Closed Mondays.)

Ray Ciarrochi—Realistic landscapes, figures, and still-lifes; starting Saturday, March 25. (De Nagy, 29 W. 57th St. Closed Mondays.)

William Clutz—Semi-abstract New York street scenes and gardens; through Thursday, March 30. (Graham, third floor, 1014 Madison Ave., at 78th St. Closed Mondays.)

William Copley—Paintings by an American Surrealist; through Saturday, March 25. (Iolas, 15 E. 55th St.)

Susan Crile—Paintings of patterned carpets; through April 6. (Kornblee, 58 E. 79th St. Closed Mondays.)

Jean Dubuffet—Large paintings on canvas and boards in the raw style this artist calls "Hourlope;" through April 29. (Pace, 32 E. 57th St. Closed Mondays.)

John Duff—Molded fibre-glass pieces in faint colors; through Thursday, March 30. (Myers, 50 W. 57th St. Closed Mondays.)

Frank Duveneck (1849-1919)—A comprehensive exhibit of paintings covering the entire career of this leading American Impressionist, also watercolors and drawings; through April 22. (Chapellier, 22 E. 80th St.)

Lyonel Feininger (1871-1956)—A historical review of prints by this American modernist; through April 15. (Associated American Artists, 663 Fifth Ave., at 53rd St.)

Louis Finkelstein—Forty landscape drawings of Southern France; through Friday, March 31. (New York Studio School, 8 W. 8th St. Mondays through Fridays, 9 to 6.)

Hamilton Fraser—Semi-abstract landscapes and seascapes by a British painter; through April 15. (Rosenberg, 20 E. 79th St. Closed Mondays.)

Douglas Gorsline—Paintings with refracted images of figures, still-lifes, and landscapes; through Thursday, March 30. (Schoelkopf, 825 Madison Ave., at 69th St.)

Peter Gourfain—Two fifteen-foot constructions of stacked timbers and two abstract paintings done on the gallery walls; through April 6. (Bykert, 24 E. 81st St. Closed Mondays.)

Chaim Gross—Recent bronzes with themes from everyday life, also watercolors on the Jewish holidays; starting Saturday, March 25. (Forum, 1018 Madison Ave., at 70th St. Closed Mondays.)

Otello Guarducci / Jan Dobkowski—Constructions in bronze and steel. / Abstract paintings in vibrating red and green by a contemporary Polish artist. (Bodley, 787 Madison Ave., at 67th St. Starts Tuesday, March 28.)

Alan Gussow—Hudson River landscapes and Maine seascapes; through Saturday, April 1. (Peridot-Washburn, 820 Madison Ave., at 68th St. Closed Mondays.)

Sebastien Hadengue—Oils, watercolors, and drawings by a French contemporary artist; first one-man show in America. Through April 15. (Saidenberg, 1037 Madison Ave., at 79th St. Closed Mondays.)

Carl Heidenreich (1901-65)—Oil paintings and watercolors by a German abstractionist who came to the United States in 1941; through Friday, March 31. (Goethe House, 1014 Fifth Ave., at 83rd St. Mondays, Fridays, and Saturdays, 9:30 to 5; Tuesdays through Thursdays, 1 to 8:30.)

Dale Henry—Light-catching acrylics on canvas; through Wednesday, March 29. (Weber, 420 West Broadway. Closed Mondays.)

Charles Hinman—Shaped canvases of large color areas in two or three dimensions; through Saturday, April 1. (René, 6 W. 57th St. Closed Mondays.)

Carl Holty—The first one-man exhibit since 1967 of this well-known New York abstractionist; through April 13. (Poindexter, 24 E. 84th St. Closed Mondays.)

Jacob Kainen—Semi-abstract paintings and drawings based on the figure and natural forms by a one-time social realist; starting Tuesday, March 28. (Pratt Institute Manhattan Center, 46 Park Ave., at 37th St. Mondays through Fridays, 10 to 7; Saturdays, noon to 4.)

Steve Kaltenbach / David Diao—Collages made of clippings from magazines. / Paintings consisting of superimposed layers of color. (Palley, 93 Prince St. Through Saturday, March 25.)

Lyman Kipp—Painted-steel sculptures; through Saturday, March 25. (Adam, 21 E. 73rd St. . . . ¶ Graduate School Mall / City University of New York, 33 W. 42nd St. Weekdays, 8 to 6.)

John Koch—Figures in interiors, and still-lifes; through Saturday, March 25. (Kraushaar, 1055 Madison Ave., at 80th St.)

R. J. Kreznar / Douglas Leichter—Sculptures in metal and glass. / Suggestions of nature on canvases tacked to the wall. (Paley & Lowe, 59 Wooster St. Through April 5. Closed Mondays.)

Frank Lobdell—Ambiguous combinations of abstractions and figuration by a California painter prominent since the fifties; through Saturday, March 25. (Jackson, 32 E. 69th St.)

Alvin Loving—Abstractions made of pieces of canvas sewn together by a black artist from Detroit; through Saturday, April 1. (Zierler, 956 Madison Ave., at 75th St. Closed Mondays.)

Agnes Martin—Paintings by an artist known for her white-on-white compositions; through Thursday, March 30. (Elkon, 1063 Madison Ave., at 80th St. Closed Mondays.)

Knox Martin—Large-scale arrangements of segments of female anatomy in flat, decorative colors; through Saturday, March 25. (Bonino, 7 W. 57th St.)

Clement Meadmore / Julius Tobias—Sculptures in steel from 1963 to 1966. / Concrete slabs that are models for larger projects. (Hutchinson, 127 Greene St., at W. Houston St. Through April 5. Closed Mondays.)

Emil Nolde (1897-1956)—Watercolors by a leading German Expressionist; through April 15. (Sabarsky, 987 Madison Ave., at 77th St. Closed Mondays.)

Gyora Novak—Fifty-foot wall pieces of colored paper; through Wednesday, March 29. (Benedek, 380 West Broadway. Closed Mondays.)

Doug Ohlson—Air-brush paintings using a circular motif; through Wednesday, March 29. (Fischbach, 29 W. 57th St. Closed Mondays.)

Nathan Oliveira—Paintings and lithographs by this figurative Expressionist; through Saturday, March 25. (Dintenfass, 18 E. 67th St.)

Paul Pollaro—Abstract collages emphasizing texture; through Wednesday, March 29. (Babcock, 805 Madison Ave., at 68th St. Closed Mondays.)

Barbara Chase Riboud—Polished bronze and aluminum high reliefs with extensions of silk cord knotted, looped, and twisted, by a black artist who lives in Paris; through April 8. (Parsons, 24 W. 57th St. Closed Mondays.)

Dorothy Ruddick—Ink paintings suggestive of natural subjects; through Tuesday, March 28. (Graham, second floor, 1014 Madison Ave., at 78th St. Closed Mondays.)

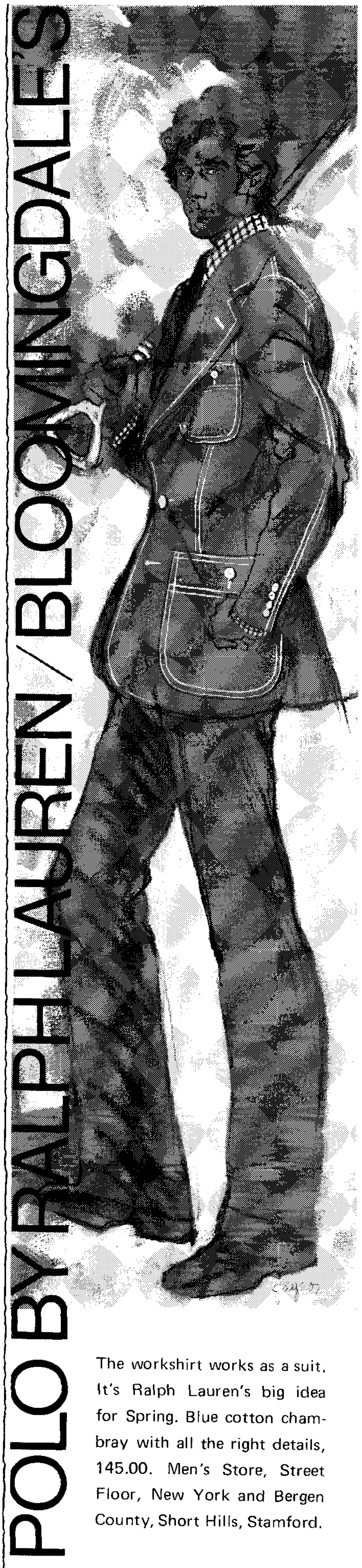
Peter Ruta—Landscapes of Southern France; through Saturday, April 1. (Graham, third floor, 1014 Madison Ave., at 78th St. Closed Mondays.)

Ben Schonzeit—Realistic paintings with fantastic additions; through April 13. (French & Co., 980 Madison Ave., at 76th St.)

Gertrude Shibley—Segments of the human figure arranged in geometric areas; through Saturday, March 25. (Phoenix, 939 Madison Ave., at 74th St.)

Moses Soyer—A selection of drawings by the well-known social realist; through April 8. (A.C.A., 25 E. 73rd St.)

Chris Wilmarth—Abstract sculptures in clear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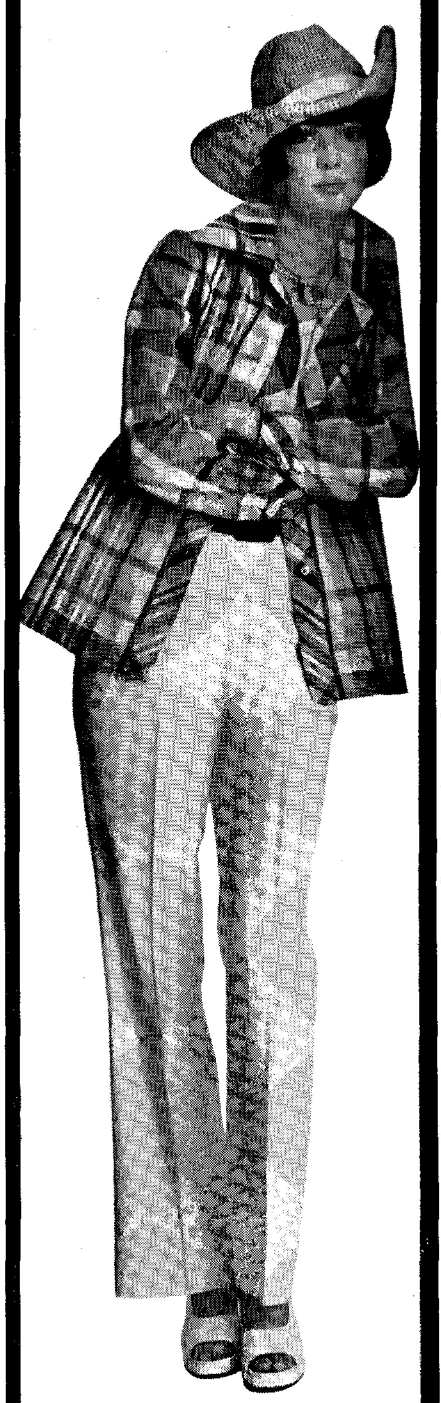

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glass and combinations of glass and bent-steel plates; through April 5. (Cooper, 100 Prince St. Closed Mondays.)

A. L. Wilson / Barbara Londin—Abstract figurations cut out of steel plates. / Groups of figures in interiors, done in pastel. (Bodley, 787 Madison Ave., at 67th St. Through Saturday, March 25.)

Philip Wofford—Large lyrical abstractions emphasizing texture; through Wednesday, March 29. (Emmerich, 420 West Broadway. Tuesdays through Saturdays, noon to 5.)

Paul Zimmerman—Semi-abstract landscapes and still-lifes; through Saturday, March 25. (Seligmann, 5 E. 57th St.)

Group Shows—At the **berry-hill**, 743 Fifth Ave., at 57th St.: Oil paintings by leading American landscapists; through April 29. . . . **la boetie**, 1042 Madison Ave., at 79th St.: Recent acquisitions by Albers, Balthus, Feininger, Magritte, and Man Ray (to name several); through Saturday, April 1. (Closed Mondays.) . . . **danenberg**, 1020 Madison Ave., at 79th St.: Works by such American artists as Archipenko, Benton, Hassam, Lawson, and Weber; through April 8. (Closed Mondays.) . . . **far gallery**, 746 Madison Ave., at 65th St.: A hundred and fifty paintings, sculptures, drawings, and prints, many by well-known artists—from Bonnard and Toulouse-Lautrec to Lindner and Segal—on the theme of the female figure; through Friday, March 31. . . . **frumkin**, 41 E. 57th St.: Paintings, drawings, and sculptures by nineteenth- and twentieth-century artists, from Munch to Ipousteguy; through Saturday, April 1. . . . **goldowsky**, 1078 Madison Ave., at 81st St.: Drawings by a dozen artists, including Frank Stella, Mark di Suvero, and Philip Wofford; through Saturday, April 1. (Closed Mondays.) . . . **graham**, second floor, 1014 Madison Ave., at 78th St.: Paintings by four contemporary Chinese; through Tuesday, March 28. (Closed Mondays.) . . . **jackson**, 32 E. 69th St.: Works on paper by Abstract Expressionists and Calder; through Saturday, March 25. . . . **janis**, 6 W. 57th St.: Large-scale paintings and sculptures by twenty-eight twentieth-century artists, from Redon and Picasso to Stuart Davis and Oldenburg; through Saturday, April 1. . . . **kennedy**, 20 E. 56th St.: Leading American painters of the eighteenth and nineteenth centuries; through April 8. (Closed Mondays.) . . . **mendola**, 341 Madison Ave., at 44th St.: Works by illustrators, past and present, among them Steven Dohanos, Bernie Fuchs, Rockwell Kent, Howard Pyle, Norman Rockwell, Andrew Wyeth, and N.C. Wyeth; through Friday, March 31. . . . **new school**, 65 Fifth Ave., at 14th St.: A hundred and fifty prints and photos reflecting the cultural ties of France and America from 1600 to 1900; through April 22. (Sundays through Thursdays, except March 30, from 1 to 8; Saturdays, 11 to 6.) . . . **o.k. harris**, 465 West Broadway: Sculptures and constructions by Luis Jiminez, Robert Rohm, and Alan Bermowitz, in a variety of mediums, from structures of light to ropes and steel rods; through Saturday, April 1. (Closed Mondays.) . . . **perls**, 1016 Madison Ave., at 78th St.: Paintings and sculptures by, among others, Archipenko, *Chagall, Maillol, Pascin, and Rouault;* through April 8. (Closed Mondays.) . . . **raydon**, 1091 Madison Ave., at 82nd St.: Sixty-five paintings, sculptures, watercolors, and drawings executed abroad by American artists of the eighteenth, nineteenth, and early twentieth centuries; through Saturday, March 25.

MUSEUMS AND LIBRARIES

Metropolitan Museum, Fifth Ave. at 82nd St.—More than a hundred examples of Chinese calligraphy, including inscribed bronze and wood objects, seals, paintings, and fans and scrolls, from ancient times through the nineteenth century; through May 7. . . . ¶ A hundred and twenty-five photographs of China during the last thirty-five years by Robert Capa, Henri Cartier-Bresson, March Riboud, and René Burri; through April 11. (Tuesdays and Fridays, 10 to 9; Wednesdays, Thursdays, and Saturdays, 10 to 5; Sundays, 11 to 5.)

Museum of Modern Art, 11 W. 53rd St.—Works by Picasso in all mediums and spanning every phase of his career, assembled from the Museum's collection and promised gifts; through April 2. Tuesdays through Fridays, at 4, the exhibition is supplemented by the showing of the documentary "Picasso Is 90." . . . ¶ Sixty-nine bronze sculptures by Matisse (his entire *œuvre* in this medium), also nineteen drawings, four lithographs, and one ceramic relating to certain sculptures; through May 1. . . . ¶ Naïve art from the Museum's collection; through April 10. (Weekdays, 11 to 6, and Thursday evenings until 9; Sundays, noon to 6.)

Solomon R. Guggenheim Museum, 1071 Fifth Ave., at 89th St.—About forty paintings, collages, and drawings by Robert Ryman, a Minimalist who stresses the physical qualities and visual effects of paint; through April 30. . . . ¶ An exhibit comparing drawings by Rodin with forgeries of this artist's works—a hundred originals and twenty-eight forgeries; through May 7. (Tuesdays, 10 to 9, with no admission charge from 6 to 9; Wednesdays through Saturdays, 10 to 6; Sundays, noon to 6.)

Whitney Museum, 945 Madison Ave., at 75th St.—Eighty-three paintings and twenty-four drawings created over a period of fifty years by Eastman Johnson (1824-1906), one of America's outstanding genre painters; starting Tuesday, March 28. . . . ¶ Paintings by Adja Yunkers, a well-known Abstract Expressionist painter and printmaker; through Sunday, March 26. . . . ¶ An exhibition of Abstract Expressionist art of the fifties—de Kooning, Pollock, Kline, Lassaw, Guston, Krasner, and others—organized by students of the Museum's Independent Study Program; through April 9. (Weekdays, 11 to 6, and Tuesday evenings until 10; Sundays, noon to 6.)

Brooklyn Museum, Eastern Parkway—An exhibit representing a hundred years of American illustration, including eighty original paintings by Norman Rockwell; through May 14. Admission is $1. (Mondays and Tuesdays, 1 to 9; Wednesdays through Saturdays, 10 to 5; Sundays, 10 to 6.)

American Museum of Natural History, Central Park W., at 79th St.—An exhibit depicting the research conducted on Great Gull Island, New York, where the study of nesting birds revealed the effects of environmental pollution; through Sept. 30. (Weekdays, 10 to 5; Sundays, 1 to 5.)

American Academy and National Institute of Arts and Letters, Broadway at 155th St.—A memorial exhibition of paintings, sculptures, and graphics by Karl Knaths, Mark Rothko, and other members of the Academy; through April 9. . . . ¶ A show of the works of thirty painters and sculptors who are candidates for Institute awards; through April 9. (Daily, except Mondays, 1 to 4.)

China House, 125 E. 65th St.—Dragons in Chinese art since the sixteenth century B.C. in ceramics, bronze, painting, lacquerware, jade, and textiles; starting Thursday, March 23. (Mondays through Fridays, 10 to 5; Saturdays, 11 to 5; Sundays, 2 to 5.)

Library and Museum of the Performing Arts, Lincoln Center—A hundred watercolors by Russian artists (Popova, Tatlin, Benois, and others) who executed stage designs for Diaghilev or who were associated with that era; through Friday, March 31. (Mondays through Fridays, 10 to 9; Saturdays, 10 to 6.)

Morgan Library, 29 E. 36th St.—Illuminated manuscripts made in France between 1350 and 1450 by both recognized and anonymous artists, many of whom worked for the Duke of Berry, the outstanding patron of illumination; through Saturday, April 1. . . . ¶ A refreshing showing of eighteenth-century French paintings of flowers (some enlivened by the presence of insects), all thought to be the work of pupils of Madeleine Basseporte, professor of flower painting at the Jardin des Plantes in Paris; through Saturday, April 1. (Weekdays, 9:30 to 5.)

Museum of Contemporary Crafts, 29 W. 53rd St.—An international exhibit of fibre sculptures, indicating new directions in weaving; through April 2. (Weekdays, 11 to 6; Sundays, 1 to 6.)

New York Cultural Center, 2 Columbus Circle—A hundred and fifty paintings, drawings, graphics, and sculptures constituting a retrospective of the visionary works of de Chirico from 1911 to 1971; through April 2. (Daily, except Mondays, 11 to 8.)

New York Public Library, Fifth Ave. at 42nd St.—Books and manuscripts published in 1922, a year that opened with the publication of "Ulysses" and closed with "The Waste

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Land," the working drafts of the latter being a part of the display. (Weekdays, 10 to 6.)

MUSIC

(The box-office number for the Metropolitan Opera House is 799-4420, for Philharmonic Hall TR 4-2424, for Carnegie Hall CI 7-7459, and for Alice Tully Hall 362-1911. Other box-office numbers are included in the listings.)

OPERA

Metropolitan Opera—Wednesday, March 22, at 8: "La Fille du Régiment," with Joan Sutherland, Monica Sinclair, Ljuba Welitch, John Alexander, and Fernando Corena; Richard Bonynge. . . . ¶ Thursday, March 23, at 8: "Salome," with Anja Silja, Irene Dalis, Gerhard Stolze, William Dooley, Rod MacWherter, and John Macurdy; Karl Böhm. . . . ¶ Friday, March 24, at 8: "Fidelio," with Leonie Rysanek, Judith Raskin, Robert Nagy, William Dooley, Giorgio Tozzi, Paul Plishka, and Leo Goeke; Hans Wallat. . . . ¶ Saturday, March 25, at 2: "La Fille du Régiment," with Joan Sutherland, Monica Sinclair, Ljuba Welitch, Enrico DiGiuseppe, and Fernando Corena; Richard Bonynge. . . . ¶ Saturday, March 25, at 8: A new production of Verdi's "Otello," with Teresa Zylis-Gara, Shirley Love, James McCracken, Sherrill Milnes, Enrico DiGiuseppe, and Paul Plishka; Karl Böhm. (A benefit performance; for tickets, call 582-7500.) . . . ¶ Monday, March 27, at 8: "Falstaff," with Renata Tebaldi, Roberta Peters, Regina Resnik, Judith Forst, Tito Gobbi, Luigi Alva, and Kostas Paskalis; Christoph von Dohnanyi. . . . ¶ Tuesday, March 28, at 8: "Salome," with Anja Silja, Mignon Dunn, Gerhard Stolze, Thomas Stewart, Rod MacWherter, and John Macurdy; Karl Böhm. . . . ¶ Wednesday, March 29, at 8: "Otello," with Teresa Zylis-Gara, Shirley Love, James McCracken, Sherrill Milnes, Enrico DiGiuseppe, and Paul Plishka; Karl Böhm. . . . ¶ Thursday, March 30, at 8: "La Fille du Régiment," with Joan Sutherland, Regina Resnik, Ljuba Welitch, John Alexander, and Fernando Corena; Richard Bonynge. . . . ¶ Friday, March 31, at 7: "Parsifal," with Irene Dalis, Sándor Kónya, William Dooley, Cesare Siepi, Ezio Flagello, and John Macurdy; Leopold Ludwig. . . . ¶ Saturday, April 1, at 2: "Falstaff," with Renata Tebaldi, Roberta Peters, Regina Resnik, Judith Forst, Tito Gobbi, Luigi Alva, and Kostas Paskalis; Christoph von Dohnanyi. . . . ¶ Saturday, April 1, at 8: "Salome," with Leonie Rysanek, Mignon Dunn, Gerhard Stolze, Thomas Stewart, Rod MacWherter, and John Macurdy; Karl Böhm.

New York City Opera—Wednesday, March 22, at 8: "Susannah," with Joy Clements, Beverly Evans, John Stamford, and Michael Devlin; Christopher Keene. . . . ¶ Thursday, March 23, at 8: "Summer and Smoke," with Mary Beth Peil, Barbara Shuttleworth, and John Reardon; Julius Rudel. . . . ¶ Friday, March 24, at 8: "Giulio Cesare," with Beverly Sills, Gwendolyn Killebrew, Robert Hale, and Dominic Cossa; Julius Rudel. . . . ¶ Saturday, March 25, at 2: "Così Fan Tutte" (in English), with Patricia Brooks, Kay Creed, Leo Goeke, and John Darrenkamp; Charles Wilson. . . . ¶ Saturday, March 25, at 8: "Mefistofele," with Carol Neblett, Beverly Evans, William Chapman, and Salvador Novoa; Giuseppe Morelli. . . . ¶ Sunday, March 26, at 1: "Tosca," with Maralin Niska, Carlos Montane, Richard Fredricks, and David Hall; Giuseppe Morelli. . . . ¶ Sunday, March 26, at 7: "Carmen," with Joy Davidson, Patricia Craig, Harry Theyard, and Robert Hale; Christopher Keene. . . . ¶ Tuesday, March 28, at 8: "Giulio Cesare," with Beverly Sills, Gwendolyn Killebrew, Robert Hale, and Dominic Cossa; Julius Rudel. . . . ¶ Wednesday, March 29, at 8: "Mefistofele," with Carol Neblett, Beverly Evans, William Chapman, and Salvador Novoa; Giuseppe Morelli. . . . ¶ Thursday, March 30, at 8: "Carmen," with Joy Davidson, Patricia Craig, Harry Theyard, and John Darrenkamp; Christopher Keene. . . . ¶ Friday, March 31, at 8: "Rigoletto," with Patricia Brooks, Beverly Evans, Michele Molese, and Louis Quilico; Giuseppe Morelli. . . . ¶ Saturday, April 1, at 2: "Giulio Cesare," with Beverly Sills, Muriel Greenspon, Michael Devlin, and Dominic Cossa; Julius Rudel. . . . ¶ Saturday, April 1, at 8: "Susannah," with Joy Clements, William Chapman, and Harry Theyard; Christopher Keene. (New York State Theatre, Lincoln Center. TR 7-4727. Through Sunday, April 30.)

Mannes Opera Workshop—Von Weber's "Abu Hassan" and Menotti's "The Old Maid and the Thief," conducted by Paul Berl and staged by Paul Ukena. (Kaufmann Concert Hall, Y.M.H.A., Lexington Ave. at 92nd St. 427-6000. Wednesday and Thursday, March 22-23, at 8.)

ORCHESTRAS AND CHORUSES

New York Philharmonic—At Philharmonic Hall, Dean Dixon conducting—Thursday through Saturday, March 23-25, at 8:30, and Monday, March 27, at 7:30 (all with Lorne Munroe, cello); and Thursday, March 30, at 8:30; Friday, March 31, at 2; Saturday, April 1, at 8:30; and Monday, April 3, at 7:30 (all with Tossy Spivakovsky, violin).

Musica Aeterna Orchestra—Frederic Waldman conducting, with Zino Francescatti, violin. (Alice Tully Hall. Wednesday, March 22, at 8:30.)

Bach Concert—Henry Schuman conducting an orchestra and playing the oboe, with assisting artists. The last in a series of concerts. (Philharmonic Hall. Saturday, March 25, at midnight.)

New York Chamber Soloists—Playing Bach's six Brandenburg Concertos. (Hunter College Assembly Hall, Park Ave. at 69th St. 535-5350. Sunday, March 26, at 2:15.)

American Symphony Orchestra—Leopold Stokowski conducting, with William Masselos, piano; Elayne Jones, timpani; and Anthony Miranda, horn. (Carnegie Hall. Sunday, March 26, at 2:30, and Tuesday, March 28, at 8.)

Handel Society Orchestra—Stephen Simon directing the first New York performance of Handel's opera "Rinaldo," in concert form, with Lois Marshall, soprano; Beverly Wolff and Frances Bible, mezzo-sopranos; Murray Dickie, tenor; Raymond Michalski, bass; Martin Isepp, harpsichord; and other vocal and instrumental soloists. The last in a series of concerts. (Carnegie Hall. Monday, March 27, at 8.)

Spectrum Artists—James Stubbs and Henry Schuman conducting a brass concert, with Irene Gubrud, soprano. (Alice Tully Hall. Friday, March 31, at 8.)

Ohio State University Concert Band—Donald E. McGinnis directing. (Carnegie Hall. Thursday, March 23, at 8.)

Chamber Singers—Robert M. Isgro directing the singers from the State University College of Arts and Science at Geneseo, New York. (Alice Tully Hall. Thursday, March 23, at 8:30.)

Carnegie-Mellon University's Kiltie Symphony Band—Karel Husa and Richard Strange conducting, with Nelson Whitaker, piano. (Carnegie Hall. Friday, March 24, at 8. No tickets necessary.)

Amor Artis Chorale and Orchestra—Johannes Somary directing the last in a series of all-Haydn programs, with soloists. (Grace Church, Broadway at 10th St. Friday, March 24, at 7:30. For tickets, call 920-5563.)

St. Cecilia Chorus and Orchestra—David Randolph directing a performance of Bach's "St. John Passion," with Karen Altman, soprano, and others. (Carnegie Hall. Saturday, March 25, at 8.)

Collegiate Chorale—Abraham Kaplan directing a performance of Bach's "St. Matthew Passion," with Claudia Cummings, soprano; Florence Kopleff, alto; Mallory Walker, tenor; Julian Patrick, baritone; Thomas Paul, bass; Frederick Swann, organ; the Boys Choir of the Church of the Transfiguration and Trinity School; and the Orchestra of America. (Carnegie Hall. Sunday, March 26, at 7.)

RECITALS

Elizabeth Marshall—Piano, in an all-Liszt program. (Carnegie Recital Hall. Wednesday, March 22, at 8.)

E. Power Biggs—Organ, in an all-Bach program. (St. Thomas Church, Fifth Ave. at 53rd St. Wednesday, March 22, at 8:30. No tickets necessary.)

John Owings—Piano. (Town Hall. JU 2-4536. Thursday, March 23, at 8:30.)

Music from Marlboro—The last two programs in two series of concerts, these performed by Isidore Cohen and Annie Kavafian, violin; Nancy Cirillo, viola; Timothy Eddy, cello; Julius Levine, double bass; and Nerine Bar-

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rett, piano. (Grace Rainey Rogers Auditorium, Metropolitan Museum, Fifth Ave. at 83rd St. 879-5512. Friday, March 24, at 8. . . . ¶ Alice Tully Hall. Monday, March 27, at 8.)

P'ANSORI—A program of Korean music, done by a singer and a trio of instrumentalists. (Carnegie Recital Hall. Friday and Saturday, March 24-25, at 8:30.)

CHAMBER MUSIC SOCIETY OF LINCOLN CENTER—Charles Treger and Hiroko Yajima, violin; Nobuko Imai, viola; Aldo Parisot, cello; Gary Karr, contrabass; and others. (Alice Tully Hall. Friday, March 24, at 8:30, and Saturday, March 25, at 9.)

VERMEER QUARTET—Chamber music. (Washington Irving High School, Irving Pl. at 16th St. Saturday, March 25, at 8. For tickets, call GR 3-1391.)

NEW SCHOOL CONCERTS—The first in a series of three all-Schubert concerts, this one played by Paula Robison, flute; Ruth Laredo, piano; and the Cleveland Quartet. (New School, 66 W. 12th St. 675-2700, Ext. 315. Sunday, March 26, at 5.)

REY DE LA TORRE—Classical guitarist. (Alice Tully Hall. Sunday, March 26, at 8.)

BEVERLY SILLS—Soprano, in a benefit recital. (Metropolitan Synagogue of New York, 40 E. 35th St. OR 9-8580. Monday, March 27, at 8.)

LOUIS QUILICO—Baritone. (Town Hall. JU 2-4536. Monday, March 27, at 8.)

JOHN GRAHAM—Viola. (Alice Tully Hall. Wednesday, March 29, at 8.)

MISCELLANY

CARLOS CHAVEZ—Mr. Chavez conducting a program of his own music, performed by, among others, Gervase de Peyer, clarinet; Ronald Roseman, oboe; Gerald Tarack, violin; and a percussion ensemble. (New School, 66 W. 12th St. Thursday, March 23, at 8. For tickets, call 621-2411.)

JAZZ/FOLK/ROCK/ETC.

INTERLUDE CONCERTS—A varied series of hour-long performances at Town Hall (JU 2-4536)—Wednesday, March 22, at 5:45: Interaction, a piano trio. . . . ¶ Wednesday, March 29, at 5:45: Jean Léon Destiné and his Afro-Haitian dance company.

BEACH BOYS—The last in a series of concerts. (Carnegie Hall. Wednesday, March 22, at 8.

BUDDY MILES—With Merry Clayton. (Philharmonic Hall. Wednesday, March 22, at 8.)

BLACK ON BLACK—"Up from Kansas City," the first in a series of four concerts by the Rhythm Associates, this one with the support of the Encyclopedias of Soul. (Carnegie Recital Hall. Thursday, March 23, at 8.)

JACKIE PARIS AND ANNE MARIE MOSS—With others. (Maisonette, St. Regis-Sheraton Hotel, Fifth Ave. at 55th St. Friday, March 24, at noon. For tickets, call 489-0654.)

JOHN SEBASTIAN AND EARTH, WIND & FIRE—Philharmonic Hall. Tuesday and Wednesday, March 28-29, at 8.

GUESS WHO—With Grin. (Carnegie Hall. Wednesday and Thursday, March 29-30, at 8.)

MIKE ABENE, LYN CHRISTIE, AND GEORGE YOUNG—Maisonette, St. Regis-Sheraton Hotel. Friday, March 31, at noon.

RICHARD HARRIS—Philharmonic Hall. Friday, March 31, at 8:30.

SPORTS

(The box-office number for Madison Square Garden, Eighth Ave. between 31st and 33rd Sts., is 564-4400.)

PROFESSIONAL BASKETBALL—At **MADISON SQUARE GARDEN**: Knicks vs. Buffalo, Wednesday, March 22, at 7:30. . . . ¶ Knicks vs. Cleveland, Saturday, March 25, at 8. . . . **NASSAU COLISEUM**, Hempstead Turnpike, Uniondale, L.I. (516 292-4500): Nets vs. Carolina, Wednesday, March 22, at 8:15. . . . ¶ Nets vs. Indiana, Tuesday, March 28, at 8:15.

BOXING—Golden Gloves New York City finals. Sponsored by the News Charities, Inc. (Madison Square Garden. Friday, March 24, at 8.)

HOCKEY—At Madison Square Garden—Sunday, March 26, at 7:05: Rangers vs. Minnesota. . . . ¶ Wednesday, March 29, at 7:35: Rangers vs. Detroit.

RACING—At Aqueduct (if the strike is over): Weekdays at 1:30; through Saturday, May 13. The Distaff Handicap, Friday, March 31, and the Westchester Handicap, Saturday, April 1.

RUGBY—Manhattan II vs. Toronto Welsh and Manhattan I vs. Bermuda Teachers, Saturday, April 1, at 1:30. . . . ¶ Manhattan I vs. Davenport, England, Sunday, April 2, at 2:30. (Randall's Island, outside Downing Stadium.)

SKATING—Middle Atlantic Figure Skating Championships—Thursday through Saturday, March 23-25, at 7 A.M.: School figures. . . . ¶ Thursday and Friday, March 23-24, at approximately 6 P.M., and Saturday, March 25, at approximately noon: Free skating. . . . ¶ Sunday, March 26, at 7 A.M.: Dance competitions. (Sky Rink, 450 W. 33rd St., at 10th Ave. Tickets at the box office only, and only on the days of the events.)

TROTTING—At Yonkers Raceway: Weekdays at 8; through Wednesday, May 24.

FOR CHILDREN

MUSIC—By the **LITTLE ORCHESTRA SOCIETY**: Thomas Scherman conducting the final children's concerts of the season, with Emily Frankel, dancer. (Philharmonic Hall. Saturday, March 25, at 11 and 3. For tickets, call PL 7-3460). . . . **LIGHT OPERA OF MANHATTAN**: "H.M.S. Pinafore," Saturday and Sunday, March 25-26, at 4. . . . ¶ "The Mikado," Saturday, April 1, at 4. (Jan Hus Playhouse, 351 E. 74th St. 535-6310.). . . **BLUE HILL TROUPE**: A benefit performance of Gilbert and Sullivan's "The Grand Duke." (Hunter College Playhouse, Park Ave. at 68th St. Saturday, April 1, at 2:30. For tickets, call 486-0477.)

STAGE SHOWS—By the **BIL BAIRD MARIONETTES**: "Peter and the Wolf." (Bil Baird Theatre, 59 Barrow St. YU 9-7060. Saturdays and Sundays at 1 and 3:30.). . . **BLUE PEACOCK PLAYERS**: "Genji and the White Jewels." (Theatre East, 211 E. 60th St. TE 8-0177. Saturdays and Sundays at 2.). . . **SALVATORE GUIDA**: "A Very Special Clown," Saturday, March 25. . . . ¶ "Bravo, the Clown," Sunday, March 26. . . . ¶ "The Magical Red Fan," Saturday, April 1. (Mask Theatre, 125 Fifth Ave., at 19th St. 673-0291. Afternoons at 2:30.). . . **MERI MINI PLAYERS**: "The Princess and the Pea." (Universalist Church Theatre, 4 W. 76th St. 260-4863. Saturdays at 2:30.). . . **NEW YORK CHILDREN'S THEATRE**: "Robin Hood," Saturday, March 25, at 1. . . . ¶ "The Arabian Nights," Saturday, April 1, at 1. (Town Hall. For tickets, call 489-0120.). . . **PAPER BAG PLAYERS**: "Hot Feet." (Brooklyn Academy of Music, 30 Lafayette Ave. ST 3-2434. Saturdays at 3.). . . **PIXIE JUDY TROUPE**: Benefit performances of "The Thief of Bagdad." (Plaza 9, in the Plaza Hotel, Fifth Ave. at 59th St. Monday, March 27, at 7, and Tuesday through Saturday, March 28-April 1, at 1 and 3. For tickets, call PL 9-3000, Ext. 1221.). . . **STAGELIGHTS TWO**: "Winnie-the-Pooh." (125 W. 22nd St. 989-9228. Saturdays and Sundays at 2:30.). . . **TRAVELING PLAYHOUSE**: "Secret Treasure Room." (Kaufmann Concert Hall, Y.M.H.A., Lexington Ave. at 92nd St. 427-6000. Sunday, March 26, at 2. Children under five not admitted.)

MOVIES—"Go, Man, Go!," with Dane Clark and Sidney Poitier, Saturday, March 25, at 3. . . . ¶ "The Great Race," with Tony Curtis and Jack Lemmon, Saturday, April 1, at 3. (Alice Tully Hall, 362-1911.)

HAYDEN PLANETARIUM, Central Park W. at 81st St. (873-1300)—The current show is called "Journey to Other Worlds." (Mondays through Fridays, except March 31, at 2 and 3:30; Saturdays at 11, 1, 2, 3, 4, and 5; Sundays at 1, 2, 3, 4, and 5; and Good Friday at 1, 2, and 3:30. Children under five not admitted.). . . ¶ An hour before the shows, the Guggenheim Space Theatre presents a projection of the story of astronomy—from man's earliest concepts of the universe to the achievements of the Space Age.

JUNIOR MUSEUM STUDIO, Metropolitan Museum, Fifth Ave. at 81st St.—Fifty-three pictures in watercolor and chalk by children in Taipei; through April 9. (Tuesdays, 10 to 9; Wednesdays and Fridays, 10 to 2; Thursdays, 10 to 5; and Sundays, 11 to 5.)

ET ALIA

(The number to call for information about all free entertainment in the city is 472-1003.)

UNITED NATIONS—Visitors may attend periodic meetings of the Security Council and regular sessions of various commissions and committees. A limited number of tickets are available, but only to those applying for them in person at the admissions desk in the public lobby no earlier than thirty minutes before each meeting. Meetings usually convene at 10:30 or 11 and at 2:30 or 3. Mondays through Fridays. (General Assembly Building, First Ave. at 45th St.)...¶ Hour-long tours leave the lobby of the General Assembly Building every fifteen minutes or so from 9 to 4 daily.

POETRY READINGS—W.H. Auden reading from his own works. (Poetry Center, Y.M.H.A., Lexington Ave. at 92nd St. 427-6000. Monday, March 27, at 8:30.)

AUCTIONS—At the Parke-Bernet Galleries, 980 Madison Ave., at 76th St. (Exhibition hours: Tuesdays through Saturdays, 10 to 5.)—Saturday, March 25, at 10:15: American Indian art, from various owners....¶ Saturday, March 25, at 2: Medieval, Renaissance, and eighteenth-century tapestries, furniture, and works of art; from the Cranbrook Academy of Art and from other sources....¶ Tuesday, March 28, at 10:15 and 2: Autographs, from many owners.

FILM LIBRARIES—At the **MUSEUM OF MODERN ART**, 11 W. 53rd St. (956-7078)—March 22 at 2 and 5:30: "Land of Silence and Darkness" (1971), in German, directed by Werner Herzog; no English titles....¶ March 23 at 2: "S.P.Q.R." (1971), directed by Volker Koch. ...¶ March 23 at 5:30: "Why Did Herr R. Run Amok?" (1969), in German, directed by Michael Fengler and Rainer Werner Fassbinder....¶ March 23 at 8: "S.P.Q.R." (1971)....¶ March 24 at 2: "Stories of Kubelkind: Tales 1 through 13" (1970), in German, directed by Ula Stöckl and Edgar Reitz; no English titles....¶ March 24 at 5:30: "Stories of Kubelkind: Tales 14 through 26" (1970), in German, directed by Ula Stöckl and Edgar Reitz; no English titles....¶ March 25 at noon: "Rashomon" (1950), in Japanese, directed by Akira Kurosawa, with Toshiro Mifune....¶ March 25 at 3: "Recruits in Ingolstadt" (1971), in German, directed by Rainer Werner Fassbinder. ...¶ March 25 at 5:30: "The American Soldier" (1970), in German, directed by Rainer Werner Fassbinder....¶ March 26 at 12:30: "Safety Last" (1923), directed by Fred Newmeyer and Sam Taylor, with Harold Lloyd. ...¶ March 26 at 3: "The American Soldier" (1970)....¶ March 26 at 5:30: "Recruits in Ingolstadt" (1971)....¶ March 27 at noon "Why Did Herr R. Run Amok?" (1969). ...¶ March 27 at 5:30 and March 28 at 2: "Singer Jim McKee" (1924), directed by Clifford S. Smith, with William S. Hart. ...¶ March 28 at 5:30: A program of films by John Marshall....¶ March 29 at 2 and 5:30: "Lenz" (1971), in German, directed by George Moorse....¶ March 30 at 2: "79 Springtimes" (1960) and "Cerro Pelado" (1966), both Cuban films, directed by Santiago Alvarez....¶ March 30 at 5:30: A program of three short Cuban films....¶ March 30 at 8: "Memories of Underdevelopment" (1968), a Cuban film, directed by Tomás Gutierrez Alea. (A limited number of reservations are available, but only to those applying for them in person at the Museum after 11 on the day of the showing or, if it is a Sunday, after noon. Reservations for the showings at 8 will not be accepted before 5:30. Mondays, admission on a first-come, first-served basis.)...**NEW YORK CULTURAL CENTER**, 2 Columbus Circle. (LT 1-2311)—Through March 23: "Il Grido" (1957), in Italian, directed by Michelangelo Antonioni, with Steve Cochran and Alida Valli....¶ March 24-25: "Il Bidone" (1955), in Italian, directed by Federico Fellini, with Broderick Crawford, Giulietta Massina, and Richard Basehart....¶ March 26 and 29-30: "The Trial" (1962), directed by Orson Welles, with Anthony Perkins. (Showings Wednesdays through Sundays at 4 and 6. A limited number of reservations are available, but only to those applying for them in person at the Center after 11 on the day of the showing.)...**ANTHOLOGY FILM ARCHIVES**, at the Public Theatre, 425 Lafayette St. (677-3197)—Films by Dreyer, Eisenstein, Flaherty, Griffith, Frampton, Kubelka, Hanoun, Jacobs, Markopoulos, Jordan, Murnau, Keaton, and others. Showings at 6, 8 (except March 24 and 25), and 10 (except March 22). No Mondays....**WHITNEY MUSEUM**, 945 Madison Ave., at 75th St. (249-4100)—Through March 29: Films by John Lennon and Yoko Ono....¶ Starting March 30: "The Great Blondino" and "No-More," both directed by Robert Nelson. Showings at noon (except Thursdays), 2, and 4 (plus 6 and 8 on Tuesday and Wednesday evenings). Tickets available two hours before each show.

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GOINGS ON ABOUT TOWN

THE MOVIE HOUSES

S	M	T	W	T	F	S
			22	23	24	25
26	27	28	29	30		

THE FILMS IN THIS LISTING ARE DESCRIBED IN BRIEF IN THE SECTION BELOW

EAST SIDE

Art, 36 E. 8th. (GR 3-7014)
Through March 28: "Sometimes a Great Notion."
From March 29: "Modern Times."

Theatre 80 St. Marks, 80 St. Marks Pl. (254-7400)
Through March 25: "Murder at the Vanities" and "Phantom of the Opera."
March 26-28: "The Firefly" and "Cairo."
From March 29: "Roberta" and "Yolanda and the Thief."

St. Marks Cinema, 2nd Ave. at 8th. (475-5510)
Through March 23: "Mr. Arkadin," "The Diary of a Chambermaid," and "Shame."
March 24-29: "Fellini Satyricon," "8½," and "Stolen Kisses."
From March 30: "Monterey Pop," "Gimme Shelter," and "Putney Swope."

Gramercy, Lexington at 23rd. (GR 5-1660)
Through March 28: "Made for Each Other" and "Take the Money and Run."
From March 29: "The Hospital."

Kips Bay, 2nd Ave. at 31st. (LE 2-6668)
Through March 28: "Song of the South."
From March 29: "Tales from the Crypt."

Murray Hill, 160 E. 34th. (685-7652)
Theatre closed.

34th St. East, 241 E. 34th. (683-0255)
"The Last Picture Show."

Sutton, 3rd Ave. at 57th. (PL 9-1411)
"Slaughterhouse-Five."

Trans-Lux East, 3rd Ave. at 58th. (PL 9-2262)
"The Hot Rock."

Fine Arts, 130 E. 58th. (755-6030)
"To Die of Love."

Plaza, 42 E. 58th. (EL 5-3320)
"The Garden of the Finzi-Continis."

Baronet, 3rd Ave. at 59th. (355-1663)
Through March 26: "The Nightcomers."
From March 27: "The French Connection."

Coronet, 3rd Ave. at 59th. (355-1663)
Through March 26: "The French Connection."
From March 27: "The Concert for Bangladesh."

R.K.O. 59th St. Twin 2, 220 E. 59th. (688-0750)
Through March 28: "The Boy Friend."
From March 29: "Carey Treatment."

Ciné Malibu, 235 E. 59th. (759-4630)
"Women in Revolt."

Cinema I, 3rd Ave. at 60th. (PL 3-6022)
"A Clockwork Orange."

Cinema II, 3rd Ave. at 60th. (PL 3-0774)
"Minnie and Moskowitz."

Columbia I, 2nd Ave. at 64th. (832-1670)
"The Last Picture Show."

Columbia II, 2nd Ave. at 64th. (832-1670)
"Gumshoe."

Beekman, 2nd Ave. at 66th. (RE 7-2622)
"The Sorrow and the Pity."

68th St. Playhouse, 3rd Ave. at 68th. (RE 4-0302)
"Le Boucher."

Tower East, 3rd Ave. at 71st. (TR 9-1313)
"The Godfather."

72nd St. Playhouse, 1st Ave. at 72nd. (BU 8-9304)
Through March 28: "Dirty Harry."
From March 29: "Modern Times."

Juliet I, 3rd Ave. at 83rd. (249-1806)
Through March 28: "Sunday Bloody Sunday."
From March 29: "The Ten Commandments."

Juliet 2, 3rd Ave. at 83rd. (249-1806)
Through March 30: "Kotch" and "Lovers and Other Strangers."

Trans-Lux 85th St., Madison at 85th. (BU 8-3180)
"The Hot Rock."

U. A. East, 1st Ave. at 85th. (249-5100)
Through March 28: "Song of the South."
From March 29: "Mary, Queen of Scots."

Orpheum, 3rd Ave. at 86th. (AT 9-4607)
"The Godfather."

Loews Ciné, 3rd Ave. at 86th. (427-1332)
"The Godfather."

86th St. East, 3rd Ave. at 86th. (249-1144)
"The Hospital."

R.K.O. 86th St. Twin I, Lexington at 86th. (688-1717)
Through March 28: "I Want What I Want."
From March 29: "Cool Breeze."

R.K.O. 86th St. Twin 2, Lexington at 86th. (688-1717)
Through March 28: "Tales from the Crypt."
From March 29: "Carey Treatment."

WEST SIDE

Garrick, 152 Bleecker St. (533-8270)
Through March 23: "The Producers" and "The Night They Raided Minsky's."
March 24-27: "Investigation of a Citizen Above Suspicion" and "Claire's Knee."
From March 28: "Candy" and "Zachariah."

Waverly, 6th Ave. at 3rd. (WA 9-8037)
Through March 28: "Scarecrow in a Garden of Cucumbers."
From March 29: "The Gang That Couldn't Shoot Straight."

8th St. Playhouse, 52 W. 8th. (GR 7-7874)
Through March 28: "The Hospital."
From March 29: "Tales from the Crypt."

5th Ave. Cinema, 5th Ave. at 12th. (WA 4-8339)
Through March 28: "Sunday Bloody Sunday."
From March 29: "The Diary of a Chambermaid" and "Tristana."

Greenwich, Greenwich Ave. at 12th. (929-3350)
Through March 28: "Dirty Harry."
From March 20 (tentative): "The Boy Friend."

Elgin, 8th Ave. at 19th. (675-0935)
March 22: "The Hellstrom Chronicle," "Barbarella," and "Voyage to the End of the Universe."
March 23: "The Birth of a Nation" and "Judith of Bethulia."
March 24: "Intolerance" and "Orphans of the Storm."
March 25: "The Birth of a Nation" and "Broken Blossoms."
March 26: "Intolerance" and "Sally of the Sawdust."
March 27: "The Birth of a Nation" and "America."
March 28: "Intolerance" and "The Struggle."
March 29: "The Birth of a Nation" and "Abraham Lincoln."
March 30: "Intolerance" and "Dream Street."

R.K.O. 23rd St. Cinema, 8th Ave. at 23rd. (255-7050)
Through March 28: "Kotch" and "Lovers and Other Strangers."
From March 29: "Tales from the Crypt."

Criterion, B'way at 44th. (JU 2-1796)
"Nicholas and Alexandra."

Bijou Cinema, 209 W. 45th. (757-6792)
Through March 24: "Goyokin" and "The Bride of the Andes."
From March 25: "Inn of Evil" and "The Sword of Doom."

Rivoli, B'way at 49th. (247-1633)
"Fiddler on the Roof."

Guild, 33 W. 50th. (PL 7-2406)
Through March 28: "Song of the South."
From March 29: "Peter Rabbit and Tales of Beatrix Potter."

Music Hall, 6th Ave. at 50th. (PL 7-3100)
"What's Up, Doc?"

Ziegfeld, 141 W. 54th. (765-7600)
"Cabaret."

Festival, 6 W. 57th. (581-2323)
"Russia."

Playboy, 110 W. 57th. (JU 6-4448)
Through March 28: "$."
From March 29: "The Boy Friend."

Little Carnegie, 146 W. 57th. (246-5123)
Through March 28: "X Y & Zee."
From March 29: "The Bicycle Thief."

Lincoln Art, 225 W. 57th. (JU 2-2333)
"Modern Times."

Paris, 4 W. 58th. (688-2013)
"Without Apparent Motive."

Paramount, B'way at 61st. (247-5070)
Through March 28: "Where's Poppa?" and "Joe."
From March 29: "The Ten Commandments."

Cinema Studio, B'way at 66th. (877-4040)
Through March 28: "Made for Each Other" and "The Marriage of a Young Stockbroker."
From March 29: "The Hospital."

Embassy 72nd St., B'way at 72nd. (SC 4-6745)
Through March 28: "$" and "The Love Machine."
From March 29: "Mary, Queen of Scots."

New Yorker, B'way at 88th. (TR 4-9189)
"Tokyo Story."

Symphony, B'way at 95th. (AC 2-6600)
Through March 28: "Friends" and "Desperate Characters."
From March 29: "The Hospital."

Thalia, B'way at 95th. (AC 2-3370)
Through March 23: "Portrait of Jason" and "Me and My Brother."
March 24-27: "The Clowns" and "King of Hearts."
From March 28: "Two or Three Things I Know About Her" and "Les Créatures."

Olympia, B'way at 107th. (865-8128)
Through March 23: "Tell Them Willie Boy Is Here" and "Diary of a Mad Housewife."
From March 24: Cuban Film Festival.

IN BRIEF

SEE ABOVE FOR THEATRE ADDRESSES AND TELEPHONE NUMBERS

America (1924)—It would seem that D. W. *Griffith didn't have the emotional involve*ment in the American Revolution that he had in the Civil War. This ambitious, elaborate epic is tame and stolid compared to "The Birth of a Nation." There are wonderful sequences, but it's a rather academic work—the sort of thing that always gets praised for its "authenticity." The cast includes Neil Hamilton and Carol Dempster (at less than par, even for her), and Lionel Barrymore as the villain. (Elgin; March 27.)

Barbarella (1968)—Jane Fonda is so bouncy and charming in this messed-up erotic comic-strip view of the future that she seems to be a new Dorothy in a very strange Oz. Directed by Roger Vadim. (Elgin; March 22.)

The Bicycle Thief (1949)—A Vittorio De Sica film about a search for a stolen bicycle. In Italian. (Little Carnegie; starting March 29.)

The Birth of a Nation (1915)—Of this D. W. Griffith film, James Agee wrote, "It is equal with Brady's photographs, *Lincoln's speeches*, Whitman's war poems . . . in fact, to the best work that has been done in this country. And among moving pictures it is alone . . . as the one great epic, tragic film." With Lillian Gish, Mae Marsh, Henry B. Walthall. (Elgin; March 23, 25, 27, and 29.)

Le Boucher—Another tone poem on a thriller theme by Claude Chabrol; he provides all the elements for a thriller except the zinger. This fluid, beautifully controlled, but very minor film was shot in a serene village in the Périgord and features the elegant Stéphane Audran, with Jean Yanne as the melancholy, frustrated butcher. In French. (68th St. Playhouse.)

The Boy Friend—Ken Russell has turned the Sandy Wilson show into an anti-musical and destroyed most of the pleasure the audience *might have had. The glittering, joyless num*bers keep coming at you; you never get any relief from Russell's supposed virtuosity. Twiggy *sings adequately (though not well* enough for the load of singing she's asked to carry), and she dances rather better, but Russell doesn't develop her possibilities, and she remains an appealing blank. (R.K.O. 59th St. Twin 2; through March 28. . . . ¶ Playboy; starting March 29. . . . ¶ Greenwich; starting March 29, tentative.)

The Bride of the Andes (1966)—For a change, a Japanese film with an enticing title of the old American type. It stars not Yma Sumac but Sachiko Hidari, the perennially young wife of the talented director Susumu Hani, who made this film—using *cinéma-vérité* techniques—in Bolivia and Peru. The story is about the heroine's development of the strength to endure; the movie, fortunately, does not test the viewer's endurance. In Japanese. (Bijou Cinema; through March 24.)

Broken Blossoms (1919)—D. W. Griffith's stylized lyric tragedy—a small-scale film but his

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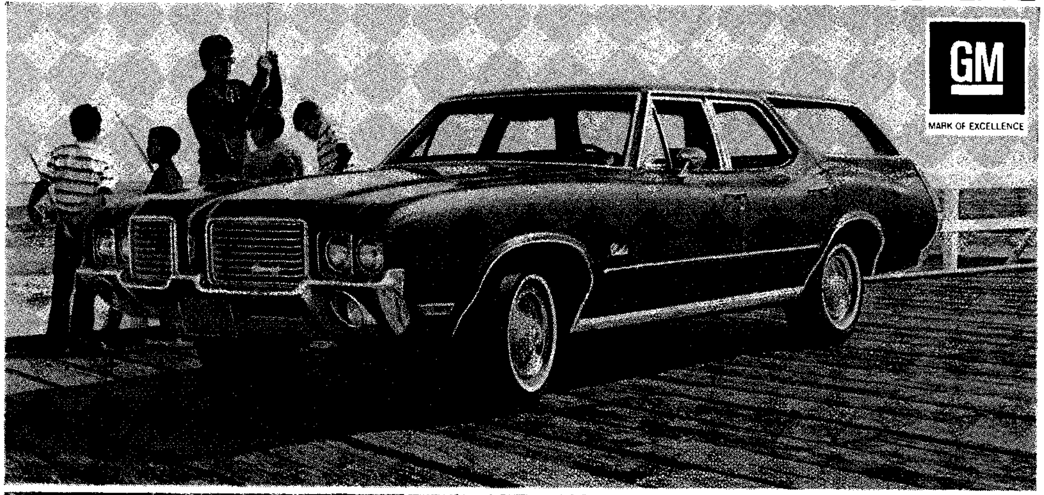

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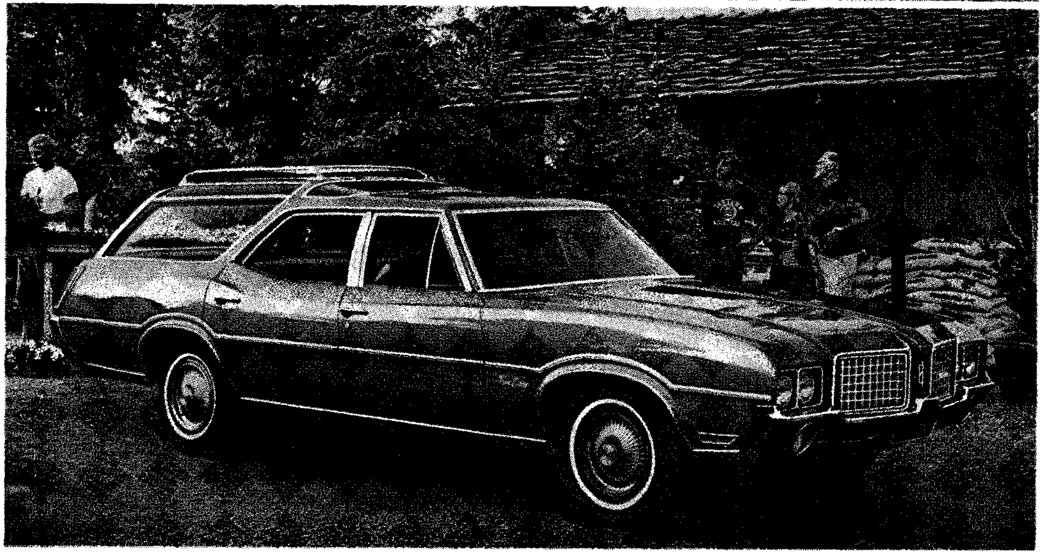

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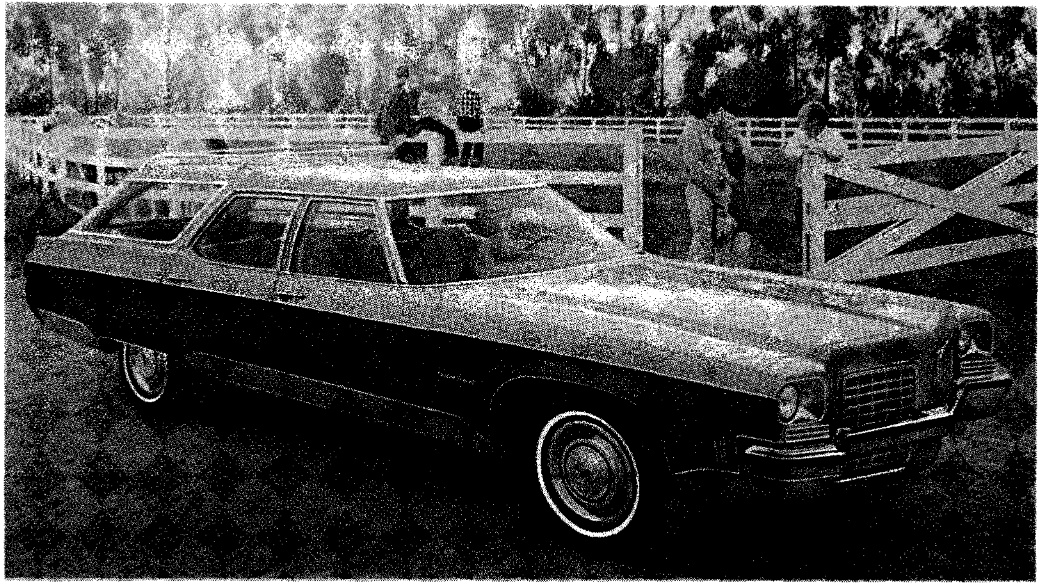

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most poetic, and one of his finest. With Lillian Gish as the childish waif (the source, probably, of the Giulietta Masina role in "La Strada"), Donald Crisp as the brutal Zampano-like prizefighter, and Richard Barthelmess as the lonely Chinese dreamer. (Elgin; March 25.)

Cabaret—A great movie musical, satirical and diamond-hard. With Joel Grey and Liza Minnelli, and masterly direction by Bob Fosse. (Ziegfeld.)

Cairo (1942)—A clinker M-G-M musical, with Jeanette MacDonald and Robert Young, in the romantic leads, and Ethel Waters and Reginald Owen. W. S. Van Dyke directed, and E. Y. Harburg and Arthur Schwartz did the lacklustre score. (Theatre 80 St. Marks; March 26-28.)

Candy (1968)—Terry Southern's and Mason Hoffenberg's sex burlesque was turned into a shambles by the director, Christian Marquand, but there are funny pieces: Marlon Brando as Grindl the Guru, Richard Burton in a parody of Dylan Thomas, and James Coburn as Dr. Krankeit. Ewa Aulin, the teen-age American-girl Candide, lacks the necessary dewy freshness and isn't American; she sounds rather like Peter Lorre in his pussycat roles. (Garrick; starting March 28.)

Carey Treatment—With James Coburn and Jennifer O'Neill, directed by Blake Edwards. (R.K.O. 59th St. Twin 2 and R.K.O. 86th St. Twin 2; starting March 29.)

Claire's Knee (1970)—The air is thick with summer and leisure in Eric Rohmer's serene story of a vacationing diplomat (Jean-Claude Brialy) who says he is interested only in women's minds and then has an "undefined desire" to stroke a young girl's knee. There's a rather enigmatic woman novelist who stands in for the director and makes ponderous remarks, but Rohmer's quiet, complacent movie-novel game is pleasing, and an exquisitely gawky teen-age actress, Beatrice Romand, who plays a subsidiary role, looks like a Pisanello princess. In French. (Garrick; March 24-27.)

A Clockwork Orange—Cold and repellent. Stanley Kubrick's new film might be the work of a strict and exacting German professor who set out to make a porno-violent sci-fi comedy. (Cinema I.)

The Clowns—Fellini's new picture, and a glory. His view of the world has always been that it is like the circus—a land of buffoons, of wounds that deliver no hurt, of boon friendships lasting forever between eccentric solitaries in a world of dangerous tigers and slumberously loyal elephants. This is the film that exactly and unsentimentally states it. There is a peculiar tenebrous undertow in the quality of the color, as there is in circuses. In Italian. (Thalia; March 24-27.)

The Concert for Bangladesh—Filmed at the concert at Madison Square Garden last August. (Coronet; starting March 27.)

Cool Breeze—With Raymond St. Jacques and Judy Pace, directed by F. Handridge. (R.K.O. 86th St. Twin 1; starting March 29.)

Les Créatures (1966)—Michel Piccoli plays a writer with a beautiful pregnant wife (Catherine Deneuve, looking inhumanly beautiful) who has lost the power of speech; Eva Dahlbeck is a hotelkeeper. Complicated, full of gamesmanship and subplots, and maybe only for those who like to play chess—if for them. Agnès Varda wrote and directed. In French. (Thalia; starting March 28.)

Cuban Film Festival—Feature films and documentaries, mostly with English subtitles, made in the last several years by such directors as Humberto Solas and Manuel Octavio Gómez. (Olympia; starting March 24. Showings at 4:30 [weekends], 7, and 9:30. For program particulars, call the box office.)

Desperate Characters—One of the best American films for months, gifted with insight and speed. The story is bang-on about a certain kind of New York middle-class self-hatred and wit. Its core is a hungry, sophisticated married dialogue between Shirley MacLaine and Kenneth Mars. Adapted and directed by Frank D. Gilroy. (Symphony; through March 28.)

The Diary of a Chambermaid (1945)—Jean Renoir parodies historical romances in this wildly improbable divertissement. Chambermaid Paulette Goddard loves gloomy master Hurd Hatfield (fresh from "The Picture of Dorian Gray"), but his Freudianized mama, Judith Anderson, and a whole lot of other people get in the way. The screenplay is by Burgess Meredith from a novel by Octave Mirbeau; Meredith also contrived to find a part for himself as a demented gent who eats his way through a rose garden. Francis Lederer, meant to be a menacing servant, is the most elegantly turned-out actor in the movie; probably he just couldn't resist looking his best. It's slightly crazy but highly entertaining. (St. Marks Cinema; through March 23.)

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The Diary of a Chambermaid (1964)—Buñuel's version of this film, first made by Renoir in 1945 with Paulette Goddard (see above). Buñuel uses Jeanne Moreau as the chambermaid, required to read Huysmans to her old, pernickety employer. One of the best Buñuel films, full of those characteristic small scenes that manage to be both scathing and spiked with pity. In French. (5th Ave. Cinema; starting March 29.)

Diary of a Mad Housewife (1970)—A rising young lawyer (Richard Benjamin), who is an alarming pedant about food, wine, and ambitious entertaining, is married to a hard-driven girl (Carrie Snodgress). Mrs. Put-Upon dearly needs her Mr. Go-Getter, however. Directed and written by Frank and Eleanor Perry, respectively. (Olympia; through March 23.)

Dirty Harry—Clint Eastwood is the saintly cop who demonstrates the necessity for para-legal police power; Don Siegel directed this skillful, brutal, Fascist thriller. (72nd St. Playhouse and Greenwich; through March 28.)

$—Bank heist in Hamburg, masterminded by Warren Beatty, assisted by Goldie Hawn as a kook hooker. For the first twenty minutes, it's impossible to know what's going on; after that, there are so many camera setups and such noisy, overextended chases that the whole thing becomes hectic and exhausting. Brutality and tension are a poor substitute for pleasurable suspense. Overwritten and overdirected by Richard Brooks. (Playboy and Embassy 72nd St.; through March 28.)

Dream Street (1921)—Returning to the Thomas Burke stories of the London slums that were the basis for "Broken Blossoms," D. W. Griffith had a disaster. The plot, about a Chinese who lusts after Carol Dempster (a chilly heroine), is fairly embarrassing, and the mixture of allegory, melodrama, and attempted poetry is a sad mess. (Elgin; March 30.)

8½ (1963)—Fellini's celebrated autobiographical fantasy about the life of a movie director. With Marcello Mastroianni, Anouk Aimée, Sandra Milo, and Claudia Cardinale. In Italian. (St. Marks Cinema; March 24-29.)

Fellini Satyricon (1970)—Fellini's big pagan ball. Cautionary images of depravity and apocalypse that seem to come out of the imagination of a Catholic schoolboy—leering cripples, fat people with hideous grins, and so on. Monotonous. In Italian. (St. Marks Cinema; March 24-29.)

Fiddler on the Roof—A demonstration that square can be beautiful, too. Directed by Norman Jewison and starring Topol, the movie is a joyous, powerful musical epic. (Rivoli. Mondays through Thursdays at 8 and Fridays through Sundays at 8:30. Matinées Tuesdays through Thursdays at 1:30 and Saturdays and Sundays at 1 and 5. Reserved seats only.)

The Firefly (1937)—Jeanette MacDonald and Allan Jones in one of those lavish musical monstrosities from M-G-M. Strictly for those who are prepared to listen to such songs as "Love Is Like a Firefly" and "He Who Loves and Runs Away," and "When a Maid Comes Knocking at Your Heart"—and, of course, Allan Jones going at "The Donkey Serenade." Rudolf Friml dominates the music department; Robert Z. Leonard directed. (Theatre 80 St. Marks; March 26-28.)

The French Connection—Tracking down a shipment of heroin in New York City. A slam-bang thriller that zaps the audience by noise, speed, and brutality. It's certainly exciting, but that excitement isn't necessarily a pleasure. Gene Hackman plays the lowlifer police detective who cracks the case as a mixture of Joe and Archie; William Friedkin directed. (Coronet; through March 26. . . . ¶ Baronet; starting March 27.)

Friends (1971)—Daft idyll of a youth-worshipping time. It's about a middle-teen-age couple on the loose in France who have a baby without a doctor or midwife. Directed by Lewis Gilbert. (Symphony; through March 28.)

The Gang That Couldn't Shoot Straight—When farce isn't expertly played and directed, it becomes just stupid, and that's what happens to this Mafia farce, from the Jimmy Breslin book. Lionel Stander, Jo Van Fleet, and Jerry Orbach are among the clownish crooks; molestable Leigh Taylor-Young and the talented young Robert De Niro are the romantic leads. Directed by James Goldstone. (Waverly; starting March 29.)

The Garden of the Finzi-Continis—Vittorio De Sica's finest film in many years—a lyric evocation of a vanished group of people (the cultivated, aristocratic Jewish-Italian landowners) and a vanished mood. Based on Giorgio Bassani's semi-autobiographical novel, the film records how Giorgio, a middle-class outsider (Lino Capolicchio), is drawn into the decaying, enchanted world of the Finzi-Continis by the imperious, contrary Micòl (Dominique Sanda); she and her languid brother (Helmut Berger) are spoiled, beautiful people without the will to save themselves. Perhaps the only film that records the halfhearted anti-Jewish measures of the Mussolini period—which were, however, sufficient to wipe out the Finzi-Continis and all they represented. In Italian. (Plaza.)

Gimme Shelter (1970)—The Rolling Stones in their American tour, and especially in the disaster at Altamont. (St. Marks Cinema; starting March 30.)

The Godfather—A wide, startlingly vivid view of a Mafia dynasty, in which organized crime becomes an obscene nightmare image of American ruthlessness. The movie is a popular melodrama, but it expresses a new tragic realism and it's altogether extraordinary. Francis Ford Coppola directed; Marlon Brando and Al Pacino are the stars. (Tower East, Orpheum, and Loews Ciné.)

Goyokin (1969)—A Japanese film. (Bijou Cinema; through March 24.)

Gumshoe—With Albert Finney, directed by Stephen Frears. (Columbia II.)

The Hellstrom Chronicle—A fictional scientist with a sensationally muddleheaded line in doomy rhetoric stalks about talking about the approach of Armageddon-by-insect. The insects are documentarily photographed in huge closeup, very classily. "Science fact," the film says about itself. But plus a lot of bilge. (Elgin; March 22.)

The Hospital—That great spangled ham George C. Scott in Paddy Chayevsky's farce about the killing incompetence in a modern big-city hospital. The picture strains for seriousness

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now and then, but even when it makes a fool of itself it's still funny. Arthur Hiller directed. (86th St. East. . . . ¶ 8th St. Playhouse; through March 28. . . . ¶ Gramercy, Cinema Studio, and Symphony; starting March 29.)

The Hot Rock—A cheerful caper movie, set around New York City. The dialogue is often painfully hip-cute, but the actors manage to be funny anyway. Ron Leibman plays a demonic getaway driver, George Segal is a panicky lock picker, Paul Sand is a spaced-out bomb wizard, and Robert Redford is the straight-man leader of the gang. Peter Yates directed, from William Goldman's screenplay. (Trans-Lux East and Trans-Lux 85th St.)

Inn of Evil (1970)—The inn is a smugglers' tavern. A Japanese film, directed by Masaki Kobayashi. (Bijou Cinema; starting March 25.)

Intolerance (1916)—D. W. Griffith's mad, brilliant, silly extravaganza—perhaps the greatest movie ever made. In it one can see the source of most of the major traditions of the screen—the methods of Eisenstein and von Stroheim, the Germans and the Scandinavians, and, when it's bad, De Mille. It combines extraordinary lyric passages, realism, and psychological details with nonsense, vulgarity, and painful sentimentality. (Elgin; March 24, 26, 28, and 30.)

Investigation of a Citizen Above Suspicion (1970)—A political parable, directed by Elio Petri, about a mad big-shot police official (Gian Maria Volonte) who believes he has a license to kill, but the movie is too nasty and kinky for the political point to be effective. Petri doesn't use suspense pleasurably; he makes one apprehensive and doesn't resolve the tensions, so the film leaves one in a foul mood. In Italian. (Garrick; March 24-27.)

I Want What I Want—With Anne Heywood and Harry Andrews, directed by John Dexter. (R.K.O. 86th St. Twin 1; through March 28.)

Joe (1970)—A hardhat type, mouthing prejudices about the young and the blacks and the freeloaders on welfare, meets a well-heeled liberal adman, and they strike up a murderous alliance. Peter Boyle plays the bigot; John Avildsen directed. (Paramount; through March 28.)

Judith of Bethulia (1913)—Seen now, this D. W. Griffith four-reeler (which was one of the first four-reel films made in America) appears to be a warmup for the splendors of his "Intolerance." "Judith of Bethulia" is not an altogether likable picture, but it has its heavy pseudo-Oriental charms. Blanche Sweet is the plump and pious Jewish widow who decks herself out as a courtesan and gains entrance to the camp of the Assyrian general, Holofernes (Henry B. Walthall). Mae Marsh and Robert Harron are young lovers, and Lillian Gish, in a grand coup of unlikely casting, plays a young Jewish mother. (Elgin; March 23.)

King of Hearts (1967)—Philippe de Broca makes a lulling and rather winsome period comedy about a 1918 soldier in an evacuated village now inhabited only by zoo animals and lunatics in fancy dress. With Alan Bates. In French and English. (Thalia; March 24-27.)

Kotch—Dreadful. With Walter Matthau as a clean old man who is mistaken for a dirty old man. If this had been reversed, the picture might have had something. Directed by Jack Lemmon. (R.K.O. 23rd St. Cinema; through March 28. . . . ¶ Juliet 2; through March 30.)

The Last Picture Show—Peter Bogdanovich's fine, straightforward, involving narrative picture about boys trying to reach manhood, without much in the way of models. The setting is small-town Texas in the early fifties. From Larry McMurtry's novel. With Timothy Bottoms and Jeff Bridges. (34th St. East and Columbia I.)

Abraham Lincoln (1930)—Walter Huston played the lead in this D. W. Griffith sound film, made from a script officially credited to Stephen Vincent Benét (though apparently it was tampered with), and with set designs by William Cameron Menzies. Griffith was ill at the time and unable to supervise the final work or the editing, and he was (understandably) unhappy about the results. (Parts are first-rate, other parts arch.) Nevertheless, the film was well received, perhaps because of Huston's towering performance. Una Merkel is Ann Rutledge; Kay Hammond is Mary Todd Lincoln. With Ian Keith as John Wilkes Booth, Jason Robards as Herndon, and Hobart Bosworth as Lee. (Elgin; March 29.)

The Love Machine—From Jacqueline Susann's novel, with Dyan Cannon, Robert Ryan, Jackie Cooper, and John Phillip Law. Enough said. (Embassy 72nd St.; through March 28.)

Lovers and Other Strangers (1970)—A comedy directed by Cy Howard, with a rackingly good cast for such tripe (Anne Jackson, Gig Young, Robert Dishy, and Richard Castellano). It seems that a good five or seven sketches have been hustled into one. Congreve's wit has declined now into ethnic cracks and complaints about brand names, and the sound of sheets rustling over huffy bodies fills the air. Written by Joseph Bologna and his wife, Renée Taylor. (R.K.O. 23rd St. Cinema; through March 28. . . . ¶ Juliet 2; through March 30.)

Made for Each Other—Renée Taylor and her husband, Joseph Bologna, wrote and star in this original, romantic comedy about a knocked-out, bleached-blond failed actress and a grubby misfit who meet in an encounter group. The movie believes there is a Kingdom of Heaven that you can get to if you help each other be vulnerable and open. It's Frank Capracorn updated by ethnic humor and simplified Freudianism, but it's so skillfully worked out that it's emotionally pleasing, and Renée Taylor's performance gives the film depth and conviction. Robert B. Bean directed. (Gramercy and Cinema Studio; through March 28.)

The Marriage of a Young Stockbroker—Know-all and floundering. With Richard Benjamin and Joanna Shimkus, directed by Lawrence Turman. (Cinema Studio; through March 28.)

Mary, Queen of Scots—Mary's story may be a great one, but periods of history "fraught with intrigue"—as they used to say—don't film well. Mary's "tragic destiny" has always been a movie flop; it was already a joke back in 1925, when Hal Roach made the comedy "Mary, Queen of Tots." There's no motivating idea visible in this version, produced by Hal Wallis, and the leaden script, by John Hale, lacks romantic spirit and dramatic sense. Vanessa Redgrave brings a tremulous, romantic-goddess quality to Mary; Glenda Jackson, likable but as contemporary as Bette Davis, gives Elizabeth a sort of camp humor. Her red wigs seem almost prankishly terrible, as if designed to subvert the imposing production. The director, Charles Jarrott, struggles to give it all a little lift, but without a script Hercules couldn't raise this story off the ground. (U. A. East and Embassy 72nd St.; starting March 29.)

Me and My Brother (1969)—The photographer Robert Frank made this film about Julius Orlovsky, a catatonic boy released from a state institution, and how he is taken care of by his brother, Peter Orlovsky, and Allen Ginsberg. Julius appears in the film and is also acted in some sequences by Joseph Chaiken. Frank tries to investigate insanity, methods of treatment, the nature of acting, the nature of what one records on film, and so on; he tries to do too much, and the viewer doesn't get a chance to sort out his own reactions. (Thalia; through March 23.)

Minnie and Moskowitz—John Cassavetes built this movie on a small conceit—a love affair between two people who are wildly unsuited to each other—and it doesn't take root. The picture drivels on about the joys of spontaneity, while Gena Rowlands and Seymour Cassel remain embarrassingly wrong for each other. (Cinema II.)

Mr. Arkadin (1955)—Orson Welles directed and starred in this story of a fabulously wealthy dope smuggler who hires a man to trace his past. Ambitious and flamboyant but, whether because of technical problems or script problems or both, a fiasco. With Michael Redgrave, Akim Tamiroff, Mischa Auer, and Katina Paxinou. (St. Marks Cinema; through March 23.)

Modern Times (1936)—Chaplin, in beautiful form. (Lincoln Art. . . . ¶ Art and 72nd St. Playhouse; starting March 29.)

Monterey Pop (1969)—Donn Pennebaker's infectious record of the Monterey music festival, with fifty thousand teen-agers and musicians. (St. Marks Cinema; starting March 30.)

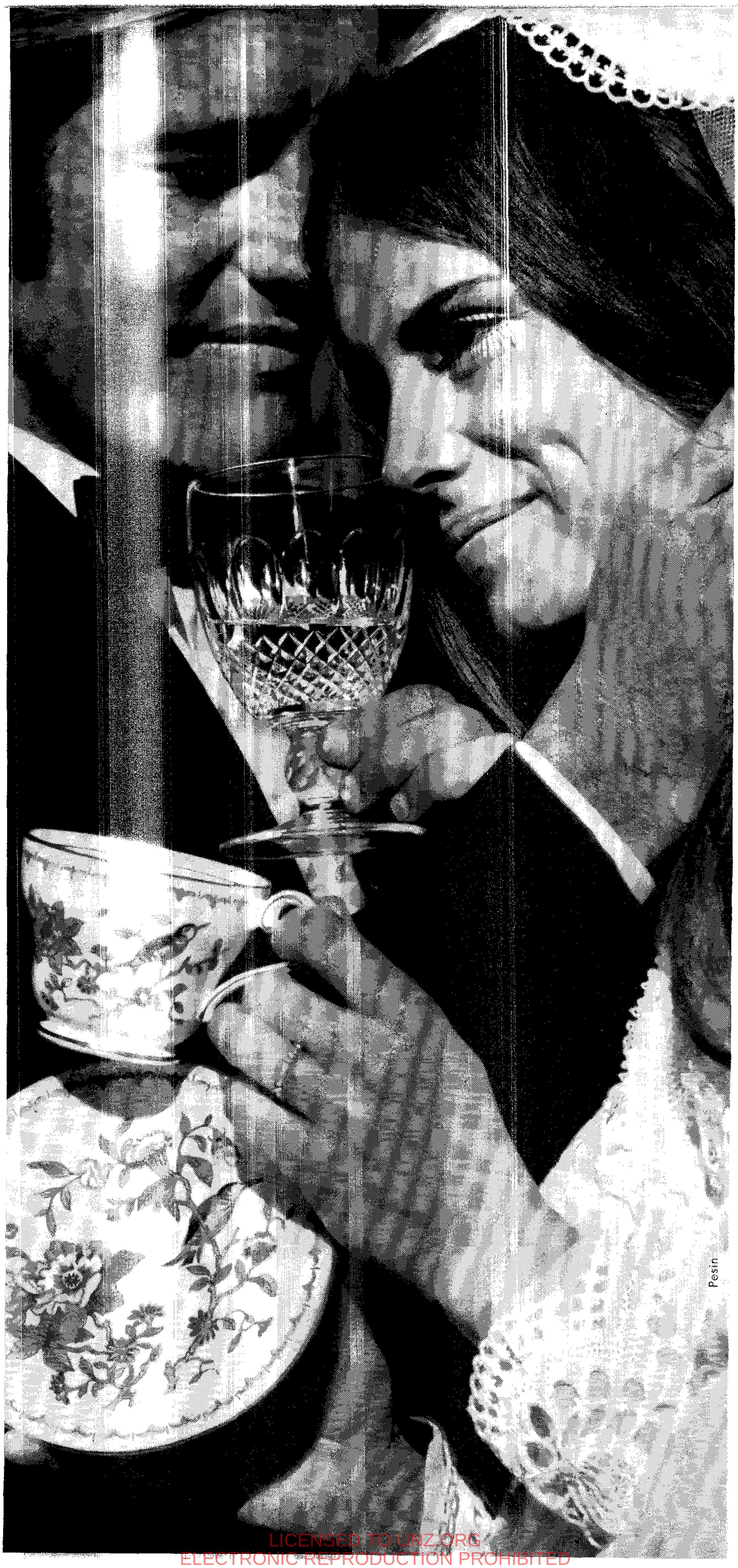
Murder at the Vanities (1934)—A backstage musical with a murderer loose in the theatre—an unusual mixture of thriller and musical that is moderately effective both ways, though the doubling of the thirties conventions makes it plot-heavy and doubly antiqued. Starring the late, dimpled international idol Carl Brisson (who sings "Cocktails for Two"); with Jack Oakie, Kitty Carlisle, Victor McLaglen, Gail Patrick, Dorothy Stickney, and some sumptuous footage of Duke Ellington and his orchestra. Mitchell Leisen directed, for Paramount. (Theatre 80 St. Marks; through March 25.)

Nicholas and Alexandra—As obsequiously respectful as if it had been made about living monarchs who might reward the producer with a command performance. Viewers are put in the position of celebrity-lovers eager to partake of the home life of the dullest of the Czars. Nicholas and Alexandra were two dunces sitting on a volcano, and the solemnly square movie is more interested in the dunces than in the volcano. Directed by Franklin J. Schaffner, but without the sweeping command of large-scale visual imagery he has had in the past. (Criterion. Mondays through Thursdays at 7:30, Fridays at 8, and Saturdays and Sundays at 8:45. Matinées Wednesdays at 2 and Saturdays and Sundays at 1 and 5. Reserved seats only.)

The Nightcomers—Ingenious but literal-minded prelude to Henry James' "The Turn of the Screw," showing how Peter Quint (Marlon Brando) and Miss Jessel (Stephanie Beacham) corrupted the children. Quite well done—and both Brando and Miss Beacham are very fine—yet pointless, since it is neither effective as a horror story nor as a psychological study. It leaves the viewer cold. Michael Winner directed, from a script by Michael Hastings. (Baronet; through March 26.)

The Night They Raided Minsky's (1968)—A parody tribute to burlesque, with a minimum of plot and a maximum of evocative stage routines. There's a wonderful seedy chorus line—a row of pudgy girls with faces like slipped discs. The actors include Jason Robards, Norman Wisdom, Joseph Wiseman, Elliott Gould, and Britt Ekland, who has a big warm smile. Directed by William Friedkin, choreographed by Danny Daniels. (Garrick; through March 23.)

Orphans of the Storm (1921)—It's almost unbelievable, but this D. W. Griffith spectacle



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set during the French Revolution was not a financial success. It's a marvellous, expensively produced mixture of melodrama and sentimentality, with duels, kidnappings, the storming of the Bastille, and Lillian Gish being saved from the guillotine. Those who saw it as children never forgot the sequence in which Lillian hears the voice of her long-lost blind sister, played by Dorothy Gish; Griffith sequences like this go beyond heart-wringing into some areas of theatrical sublimity. With the handsome young Joseph Schildkraut. (Elgin; March 24.)

Peter Rabbit and Tales of Beatrix Potter—For children, but even more for us. The Royal Ballet's halcyon transposition of Miss Potter's stories into dance. We are in Cumberland. Greenest grass, stone walls, lakes like glass that support flotillas of squirrels on homemade rafts; a world of picnics where Mr. Jeremy Fisher, a frog dressed in galoshes and the most beautiful brocade waistcoat, does amazing leaps while mice trample joyfully in the jam tarts and two pigs in love have a pas de deux. The film looks like Miss Potter's watercolor drawings. Sir Frederick Ashton did the choreography. A day off, prodigal. (Guild; starting March 29.)

Phantom of the Opera (1943)—Someone at Universal had the brainstorm of redoing the silent Lon Chaney horror picture and taking advantage of the fact that it was set in an opera house to make it not only a sound picture but a musical. The result is this stodgy version, directed by Arthur Lubin, with Claude Rains as the faceless horror and Nelson Eddy and Susanna Foster as the singing pretty people. Even without a face, Rains is more expressive than they are. (Theatre 80 St. Marks; through March 25.)

Portrait of Jason (1967)—A Negro homosexual hustler talks directly to Shirley Clarke's camera crew in this monologue film. (Thalia; through March 23.)

The Producers (1968)—Satire of the theatre, with Zero Mostel as a producer who sells twenty-five thousand per cent of a play, intending to produce a flop so that he won't have to pay the backers anything. Some of it is very funny, but Mel Brooks, who wrote and directed, doesn't develop the ideas, and it falls apart. With Dick Shawn and Gene Wilder, whose whining, strangled-voice bit is almost a shtick of genius. (Garrick; through March 23.)

Putney Swope (1969)—A mostly funny, haywire farce by Robert Downey about an advertising agency called Truth & Soul, Inc. Putney Swope is a weary-looking black, hoisted into the chairman's seat by a bad accident of boardroom voting. Things thereupon explode. (St. Marks Cinema; starting March 30.)

Roberta (1935)—Astaire and Rogers, and also Irene Dunne singing in white foxes and satin, and Randolph Scott, Helen Westley, and Claire Dodd. The apparatus is a bit heavy, but the Jerome Kern music includes "Smoke Gets in Your Eyes" and "Lovely to Look At." Best of all is the dance to "I'll Be Hard to Handle." William Seiter directed. (Theatre 80 St. Marks; starting March 29.)

Russia—A documentary on the Soviet Union, directed by Theodore Holcomb. (Festival.)

Sally of the Sawdust (1925)—D. W. Griffith directed W. C. Fields in this film, which was Fields' first success with the movie public. It's an adaptation of Fields' stage hit "Poppy," and he plays Professor Eustace McGargle, the con man with a heart of gold. (Fields appeared in a sound version of the same material in 1936.) Griffith was working for a studio and didn't have control of this production (nor much dexterity at this type of comedy). It doesn't have a great deal to recommend it besides Fields, although the cast includes Alfred Lunt. Sally is the unexciting Carol Dempster. (Elgin; March 26.)

Scarecrow in a Garden of Cucumbers—With Holly Woodlawn, directed by Robert J. Kaplan. (Waverly; through March 28.)

Shame (1968)—Ingmar Bergman's simple, masterly vision of normal war and what it does to survivors. One of his great ones. With the strong, remarkable young actress Liv Ullmann. In Swedish. (St. Marks Cinema; through March 23.)

Slaughterhouse-Five—Based on the Kurt Vonnegut, Jr., novel, with Michael Sacks. Directed by George Roy Hill. (Sutton.)

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Sometimes a Great Notion—With Paul Newman, Henry Fonda, and Lee Remick; directed by Newman. (Art; through March 28.)

Song of the South (1946)—Sentimental and offensive musical version of Joel Chandler Harris's stories. From the Disney studios, and employing both animation and live actors (Hattie McDaniel, Bobby Driscoll, Lucille Watson, Ruth Warrick, Luana Patten, James Baskette). (Kips Bay, U. A. East, and Guild; through March 28.)

The Sorrow and the Pity—Magnificent documentary epic on the German Occupation of France. Directed by Marcel Ophuls. Four and a half hours. (Beekman.)

Stolen Kisses (1968)—François Truffaut's first romantic comedy, and reasonably pleasant. With Jean-Pierre Léaud, Delphine Seyrig, and Claude Jade, and Michel Lonsdale as a man who hires detectives to find out why nobody likes him. In French. (St. Marks Cinema; March 24-29.)

The Struggle (1931)—This sound film was the last film D. W. Griffith directed. It was a disaster with the public; audiences laughed, and Griffith hid in his hotel room. It's not all that bad; there are some fine sequences shot on location in the Bronx and at a factory in Connecticut, but the script has enough idiocies to have triggered the laughter. Griffith meant the film to be an attack on both alcoholism and Prohibition, but the polemical ideas didn't work out right. Hal Skelly is the man struggling against the temptations of booze. With Zita Johann and Helen Mack. (Elgin; March 28.)

Sunday Bloody Sunday—John Schlesinger directed this complex, remarkably modulated study of the breakup of two love affairs, from a screenplay by Penelope Gilliatt. An unusual film—perhaps a classic. With Glenda Jackson, Peter Finch, and Murray Head. (Juliet 1 and 5th Ave. Cinema; through March 28.)

The Sword of Doom (1967)—With Tatsuya Nakadai, directed by Kihachi Okamoto. In Japanese. (Bijou Cinema; starting March 25.)

Take the Money and Run (1969)—Woody Allen as a sweetly incompetent gangster with gentle manners and an inability to write holdup notes that anyone can read. (Gramercy; through March 28.)

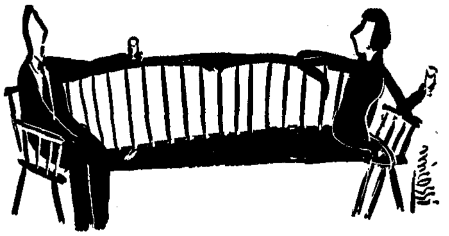
Tales from the Crypt—With Joan Collins and Peter Cushing, directed by Freddie Francis. (R.K.O. 86th St. Twin 2; through March 28. . . . ¶ Kips Bay, 8th St. Playhouse, and R.K.O. 23rd St. Cinema; starting March 29.)

Tell Them Willie Boy Is Here (1969)—Abraham Polonsky's ideological Western, with Robert Blake as Willie the Indian and Robert Redford as the sheriff who hunts him down. (Olympia; through March 23.)

The Ten Commandments (1956)—Cecil B. De Mille, at his most majestically untalented. (Juliet 1 and Paramount; starting March 29.)

To Die of Love—The case of Gabrielle Russier turned into soap opera for adolescents. As the schoolteacher in love with her teen-age student, Annie Girardot acts like a cross between Greer Garson as a mother superior and the Maid of Orleans in love. Bruno Pradal brings youthful sensuality to the boy, but the director, André Cayatte, keeps everything so external that the love affair is a series of tepid, brief encounters. In French. (Fine Arts.)

Tokyo Story (1953)—One of the most honored of all Japanese films; a simple story about elderly parents who go to visit their grown-up children in Tokyo and find that the children have no interest in them. Directed by Yasujiro Ozo. In Japanese. (New Yorker.)



Tristana (1970)—Made by a master now at the easy height of his powers. Buñuel's story is about possessiveness: a bearded, dandyish guardian played by Fernando Rey is dankly in love with his ward (Catherine Deneuve), whom he tries to keep caged but who gradually gains the power in the combat. In Spanish. (5th Ave. Cinema; starting March 29.)

Two or Three Things I Know About Her (1967)—Godard's film about a lower-middle-class wife (Marina Vlady) who idly takes to prostitution to buy herself a sweater and some American cigarettes. The "her" of the title seems to be Paris, not the heroine. In French. (Thalia; starting March 28.)

Voyage to the End of the Universe (1964)—A Czech sci-fi film about a trip to a distant star; directed by Jindrich Polak. (Elgin; March 22.)

What's Up, Doc?—With Barbra Streisand and Ryan O'Neal, directed by Peter Bogdanovich. (Music Hall.)

Where's Poppa? (1970)—This Carl Reiner comedy about a lawyer (George Segal) who can't get loose of his mother (Ruth Gordon) doesn't really work—maybe because the mother has been made into a senile psychopath instead of a sly, possessive witch, and so the satirical point gets confused. But it has so much energy and inventiveness that it's intermittently very funny, and Reiner has directed some graceful scenes between Segal and a charming ingénue, Trish Van Devere. (Paramount; through March 28.)

Without Apparent Motive—An affectionate imitation of "The Big Sleep," set in the sunny baroque of Nice and directed with finesse by Philippe Labro. Jean-Louis Trintignant is the Bogart-style detective, and Dominique Sanda is the tawny-blond big pussycat. The cast includes Sacha Distel, Stéphane Audran, Erich Segal, and the stunning, sad-eyed Carla Gravina. Understated and too refined to be hugely entertaining, but pleasant enough. In French. (Paris.)

Women in Revolt—Three transvestites (Candy Darling, Holly Woodlawn, Jackie Curtis) in a porno burlesque of women's liberation. It sounds like fun, but it isn't. The subject is really the junk fantasies of Andy Warhol's "super-stars," and Warhol keeps the camera glued to the pimples on the performers' rumps and thighs. (Ciné Malibu.)

X Y & Zee—Elizabeth Taylor in an all-out, let-it-bleed performance that shows her talent for comic toughness. She's a great bawd in this one, and so energetic that Michael Caine and Susannah York (it's a triangle movie) have to work hard to hold their own. The picture doesn't quite break through the plush-circus women's-picture format, but Edna O'Brien's dialogue has a sardonic tickle to it. Directed by Brian G. Hutton. (Little Carnegie; through March 28.)

Yolanda and the Thief (1945)—Fred Astaire was paired with Lucille Bremer in this stupefyingly baroque M-G-M musical set in a mythical South American country and encumbered with what the director, Vincente Minnelli, once called "an insane plot." Astaire is cast howlingly against type as a crooked gambler; when he learns that the beautiful heiress Yolanda believes she has a guardian angel, he pretends to be the angel in order to swindle her. It's the most extreme of the big-musical mistakes; it's full of surreal dreams and fiestas, and because it goes beyond parody, it perhaps needs to be seen by anyone who wants to know what killed the M-G-M musicals. Yolanda's bathroom has cascading fountains, and the ballets, staged by Eugene Loring and costumed by Sharaff at her maddest, include such decorator delights as laundresses washing linen in a pool of gold coins. The cast includes Mary Astor, Frank Morgan, Mildred Natwick, and Mary Nash. (Theatre 80 St. Marks; starting March 29.)

Zachariah (1971)—A rock Western, and, as if that weren't mixture enough, it also tries to be both spoof and morality play. Nothing quite works, yet it's a relaxed and generally inoffensive movie, and the hero (John Rubinstein) has an open, smiling manner. Directed by George Englund. (Garrick; starting March 28.)

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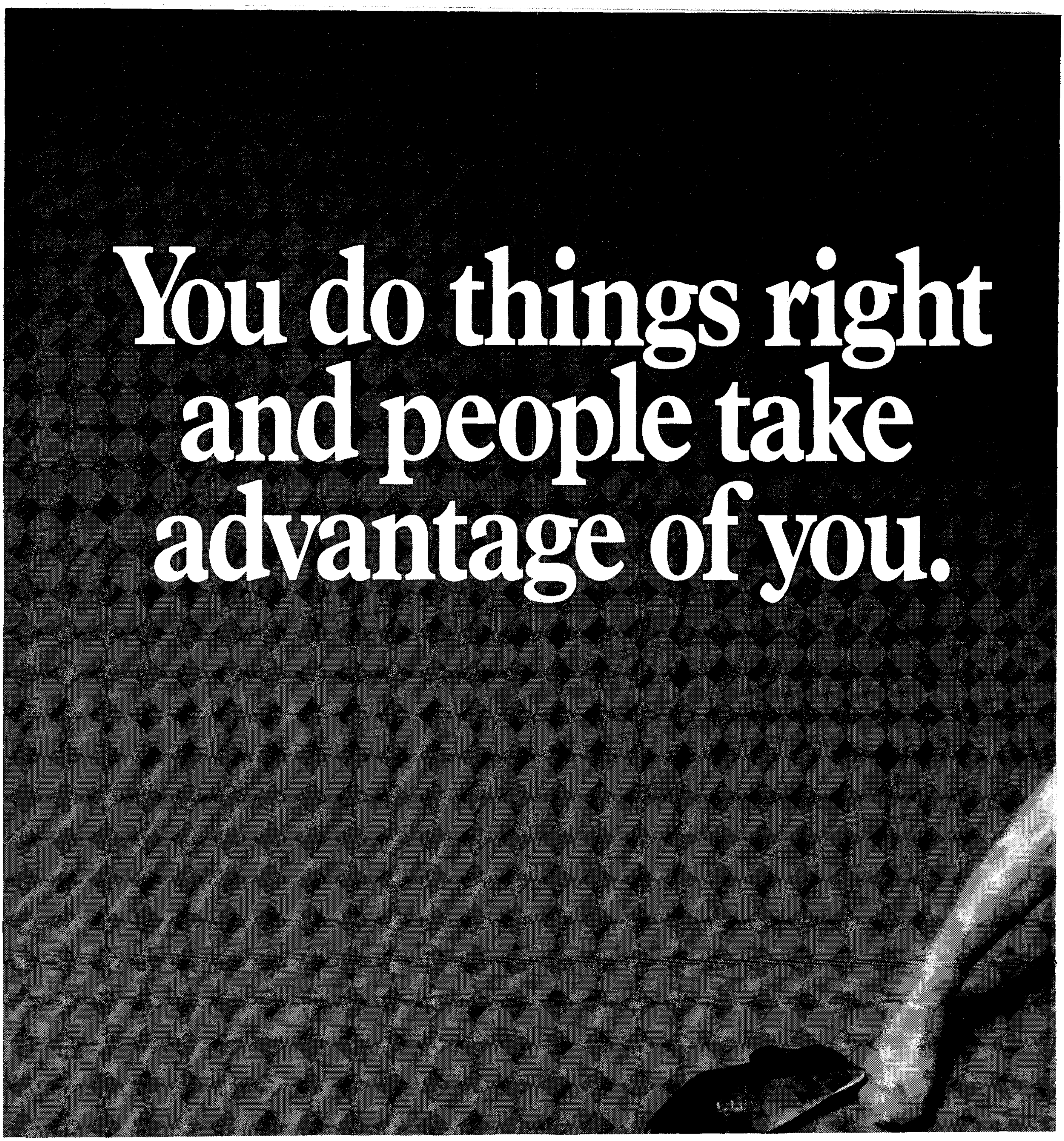

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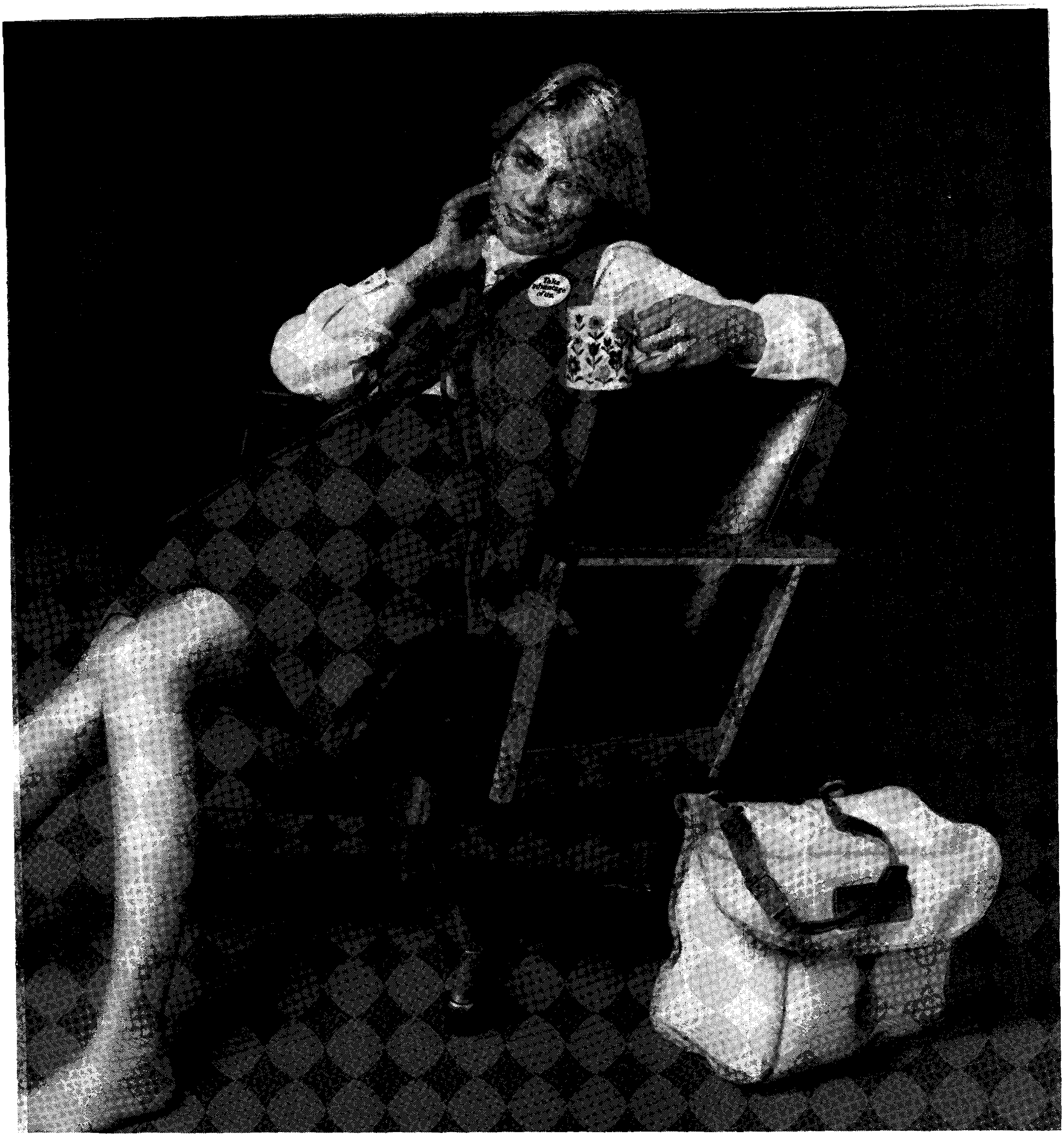

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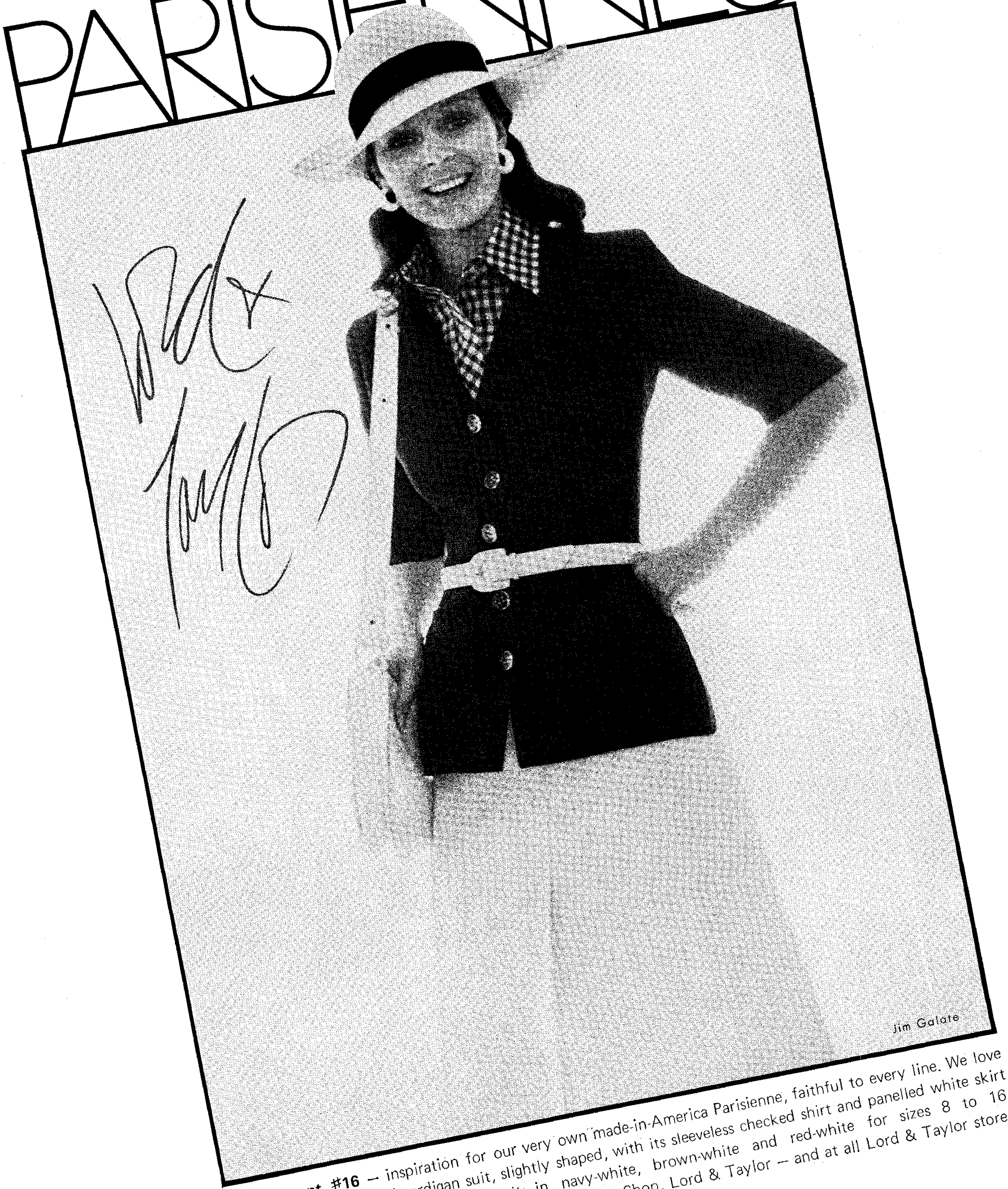


Jim Galate

Saint Laurent #16 – inspiration for our very own made-in-America Parisienne, faithful to every line. We love the casual flair of Yves' cardigan suit, slightly shaped, with its sleeveless checked shirt and panelled white skirt with its understated belt. We did it in navy-white, brown-white and red-white for sizes 8 to 16. The suit, 60.00 The shirt, 20.00 Second Floor Suit Shop, Lord & Taylor – and at all Lord & Taylor stores

THE NEW YORKER

THE TALK OF THE TOWN

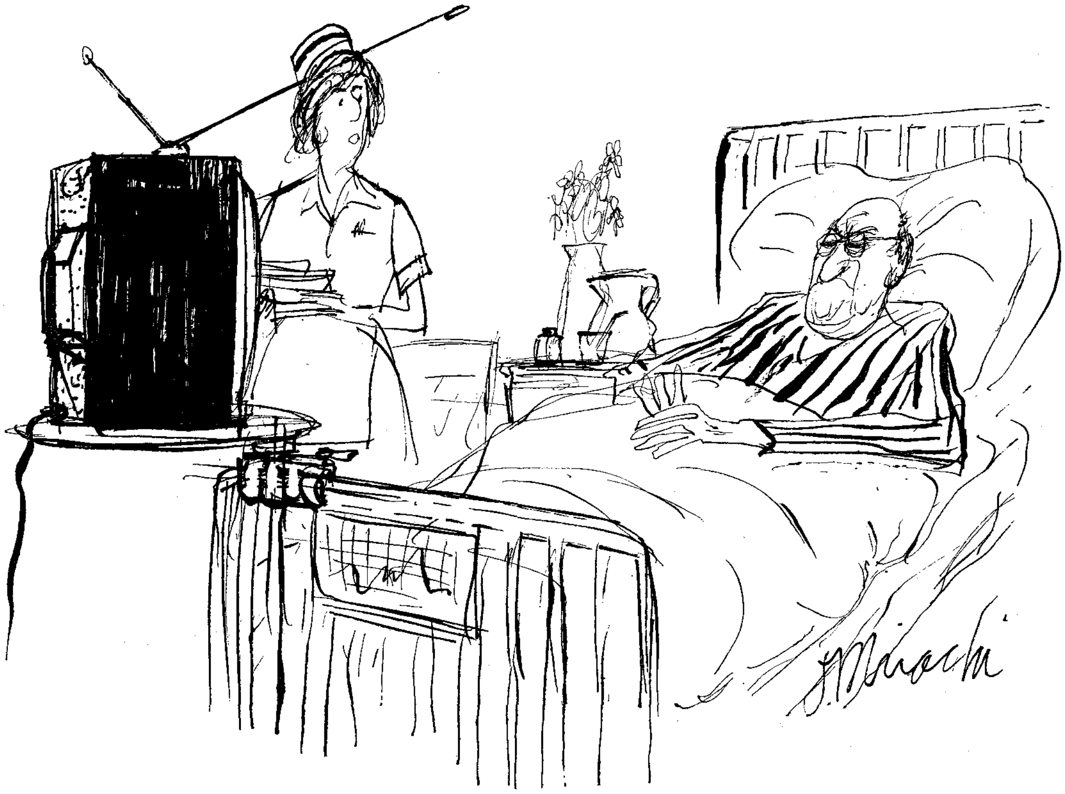
Notes and Comment

THE President's trip to China shows that television coverage opens up what is virtually a new field of action to men in power. With television, a President can draw eyes away from the piecemeal, day-to-day unfolding of policy and focus them on complex, powerful, symbolic events that he can manipulate more easily than he can the world itself. It allows him to act directly on the country's imagination, like a high priest. Major events of this kind, which are designed chiefly for the sake of coverage, are more elusive than events of other kinds. It is not only the results of an event like the China trip that are indeterminate but the very nature of the event. When the excitement has died down, one has to wonder even whether anything really happened at all. As we have turned these matters over in our mind, we have found ourself thinking in more than one voice—in a kind of colloquy. The colloquy revolves around the question of appearance and reality in politics, and goes like this:

FIRST VOICE: The trip was the most unreal, and therefore the most deceptive, event in recent memory. It was a circus put on to enhance the prestige of the participants and divert all of us from their real actions in the world. At a time when action was required, they gave us theatre. Instead of agreements and explanations, they gave us tourism and toasts. (The news-starved reporters raised the art of interpreting official handshakes and official toasts to the level of a new academic discipline.) It was all hints and no commitments. The trip fits into an ominous new American strategy—for widespread but "invisible" continued intervention abroad, with our government phasing out the techniques that attract the public's attention. The new strategy would rely heavily on air power combined with electronic battlefield devices, on the C.I.A. (to conduct clandestine wars, like the one in Laos), on allies and mercenaries (like the Cambodians and the Thais), on donations of matériel, and on the deployment of warships (as in the India-Pakistan war). If troops were to be required, volunteers rather than draftees might be used. At home, the government, instead of seeking support, would encourage indifference. Ideological passion in the public at large would no longer be required, or even desired. Already, the public has discovered that China is an unfriendly but basically reactionary power, like the Soviet Union, and that it is as ready to sell out a revolution (as it did in Bangladesh and is doing in Ceylon) as support one. In the new view, the great powers would command the globe like three or four or five giant machine-gun turrets. The China trip set the style for the new international politics. It went a long way toward the Sinification of the American public. It helped get us used to resting content with the pageantry of international relations while leaving the substance to the President and a few experts, who dazzle us from time to time with their startling shifts and unexplained reversals. And while we're watching Nixon and Mao shake hands (live from Peking!) our government is underwriting murder in Southeast Asia.

SECOND VOICE: Your distinction between politically contrived pseudo-events and the "realities," which is indeed often a useful one, has misled you this time, owing to a peculiar circumstance. That is the strangeness and unreality of this country's last twenty years of relations with China, which a high official of the State Department has now gone as far as to call an "aberration." In those years, it was as though the American public wanted to keep the slate on China clear of any information, so that the most hysterical men in our political life would be free to chalk up their worst imaginings there. The President's trip put an end to all this, and to a style of American politics that went with it. And doing so didn't require any of the substance you demand. (In the same period, other people fastened their utopian dreams on China, and their imaginings, too, have now been undercut.) The President's trip *was* a ritual, but it was a beneficent ritual. It was a rite of disenchantment. The hysteria in America and China, which was itself the wellspring of our protracted hostility, and was a potential source of ultimate, global calamity, was calmed in this country, and perhaps calmed in China, too. Here at home, one can already feel a certain lightening in the political mood. To be sure, just before the President's trip a vituperative chorus came out of the White House accusing the Democratic Presidential candidates of, among other things, "aiding and abetting" foreign enemies, but even then the voices seemed to come out of the past. They didn't carry the tremendous coercive weight they once had. (Which enemies? Mr. Nixon's hosts, the Chinese? The North Vietnamese?) Our politics used to be boxed in and confined by charges like these. Now many men in political life, including some of the Presidential candidates, will be able to act with a new sense of freedom, and perhaps lay claim to wider, less fearful constituencies. Whether the President had it in mind or not, his trip can help to liberate new political forces here at home and to move us into a new era.

THIRD VOICE: The question of



"I don't see anyone with a gun at your head forcing you to watch Shirley Chisholm."

whether we have really moved into a new era or only done so on television, in the image-world, is crucial. There is no question but that the trip laid to rest the American public's excessive fears of Chinese expansionism, and this is indeed a considerable benefit. Unfortunately, the unreal fears impelled us into a real war and into the quasi-occupation of a province of China. We paid in real blood for our unreal fears. Excuse me. *Are paying* in real blood. The trip has given us relief from our own overheated imaginings, but it has not given us relief from the real war that our imaginings impelled us into. The war continues as an anachronism, and today's bombings are as pale and unreal to us as memories. Has the government found new uses, in new, unannounced policies, for America's war in Southeast Asia, now that the old uses have disintegrated? If this nation has entered a new era, it hasn't yet left the old one behind. Everyone is yearning for the age of peace the President is promising. But we have to hold ourselves back until the old era does actually end. We can't let ourselves enjoy in imagination the fruits of efforts we have yet to carry through to completion in reality. In the present confusion, perhaps the following would be a good rule of thumb: No American may enter the new age of peace until every man, woman, and child in Southeast Asia has entered before him.

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Vintage Year

WE recently visited the Public Library's January-through-September "1922: A Vintage Year" exhibition of manuscripts, letters, drawings, photographs, and first editions selected from this repository's Albert A. and Henry W. Berg Collection of English and American Literature, and were graciously shown around by Dr. Lola L. Szladits, the Berg's scholarly and dynamic Hungarian-born curator, who got the show up and wrote its interesting thirty-six-page catalogue (containing not just a list but pictures of Rebecca West hugging a stuffed polar bear and James Joyce and Sylvia Beach posing in the doorway of Shakespeare and Company, plus four essays by Dr. Szladits entitled "Winter," "Spring," "Summer," and "Autumn"). In an edition of a thousand copies, it is probably a collector's item itself. According to this catalogue, the year 1922 deserves its appreciative oenological characterization by virtue of such products of outstanding quality as Joyce's "Ulysses," T. S. Eliot's "The Waste Land," the first edition of John Galsworthy's "The Forsyte Saga," F. Scott Fitzgerald's "The Beautiful and Damned," E. E. Cummings' "The Enormous Room," Virginia Woolf's "Jacob's Room," Sinclair Lewis's "Babbitt," E. M. Forster's "Alexandria: A History and a Guide," and no fewer than five books of poetry and plays by W. B. Yeats. All these products are on display, some in manuscript, many in presentation or association copies. ("Ulysses" is inscribed to James Stephens; "Alexandria" has Lytton Strachey's book label.) " 'The Beautiful and Damned' is rare in a dust jacket," Dr. Szladits said as we gazed at a clothed copy, and we went on to Katherine Mansfield's "The Garden Party and Other Stories," published ten months before her death; Hilaire Belloc's "The Jews;" James Weldon Johnson's "The Book of American Negro Poetry;" Booth Tarkington's "Gentle Julia;" Carl Van Vechten's first novel, "Peter Whiffle;" Arnold Bennett's "Mr. Prohack;" G. K. Chesterton's "What I Saw in America;" Eugene O'Neill's "The Hairy Ape;" and an array of autograph letters. Gertrude Stein is represented by "Geography and Plays," opened to a page containing the line "Rose is a rose is a rose is a rose." "One reason we opened it to this is that the line is so often misquoted as 'A rose is a rose is a rose,' " Dr. Szladits said. John Hall Wheelock is on hand with "The Black Panther," a poem that is not relevant to anything contemporary. The cases of the show are arranged by months, and the autumn cases are rather crowded. "Publishers' rush for Christmas sales," Dr. S. said.

We followed Dr. Szladits to the gallery's adjoining Berg Memorial Room, a vast chamber lined with great runs of Dickens and Thackeray and hung at its east end with portraits of Dr. Albert A. Berg, the Collection's founder, and his brother Henry, another doctor, in whose memory the founding gift—some thirty-five hundred books and manuscripts—was made in 1940. (Both brothers were collectors; when they were boys—they were the sons of a tailor—both worked as pages in the Cooper Union Library, where early browsing led to the *furor colligendi.*) Albert A., painted posthumously, is shown, goateed, high of dome, and intense of gaze, holding a copy of the first edition of William Blake's "Europe—A Prophecy," one of the Collection's seventy thousand items. Nearby, we examined a desk, a lamp, a paper cutter, an inkwell, quill cutters, pens, and a couple of chairs that had belonged to Dickens, a favorite author of the Doctor's. All in all, Albert A. gave the Collection forty thousand books and manuscripts, endowed it with two hundred and fifty thousand dollars in his lifetime, and left it $1,750,000 (out of a seven-million-dollar estate) when he died, in 1950, at seventy-seven (five million went to charity). How did he get so rich? He was a famous, high-priced surgeon; he invested in real estate; he was a bachelor; he smoked terribly cheap cigars. As chief of the gastrointestinal service at Mount Sinai Hospital (where he died), he was a controversial but successful pioneer in partial gastrectomy—removal of part of the stomach—to replace the then accepted gastroenterostomy, a bypassing operation.

Dr. Szladits told us that she is beginning to work up a show that will be devoted to forgeries. "We have a number to choose from," she said, "including a Custer's Last Stand plea from the Little Bighorn River, Montana Territory; a good many Poes, which we bought to get them off the market; and some Brontës, Byrons, and Burnses. We have a great Irish collection but no Irish forgeries. The Irish are hard to forge—they have their own shorthand. I think to forge Yeats would be extremely difficult. Sometimes you have a great idea for a show but not enough material, but I *think* we have enough forgeries."

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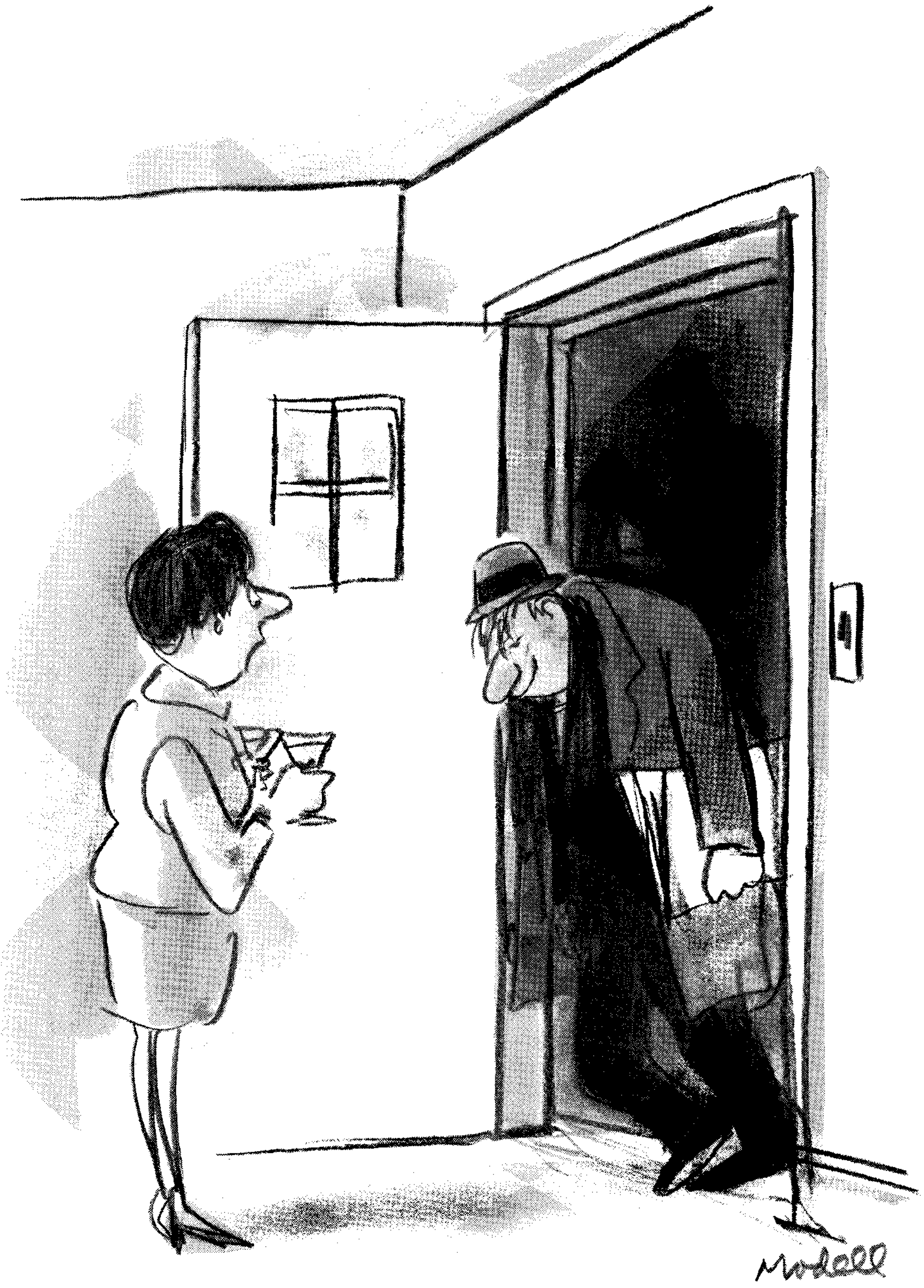
NOTE attached to some bills for garbage removal received by a Nantucket householder: "These bills are NOT up to date. Arthur is about six weeks behind on his slips."

The Great Saul Goodman (Part One)

AMONG kettledrummers there is only one acknowledged master, and Saul Goodman is it. This is his last season as timpanist, and head of the percussion section, of the New York Philharmonic, and we hardly need to explain that a kettledrummer and a timpanist are the same thing. We grew up listening to Saul Goodman play the timpani, and he was a boyhood hero of ours. While we were sitting up in the balcony of Carnegie Hall, where our mother had season tickets, he was often the only thing that kept us awake. Most grownups didn't seem to understand, but to a kid in Carnegie Hall it was obvious that he was the most important person on the stage. Musicians often call the timpanist "the other conductor of the orchestra." This was a phrase we always approved of, but we felt that it didn't go far enough. To us, Saul Goodman was the heartbeat of the Philharmonic.

Saul Goodman's first concert with the Philharmonic was the orchestra's two-thousand-and-eighty-fourth, back in 1926—conductor: Willem Mengelberg, Toscanini's predecessor. Six thousand and sixty-four concerts later, the Philharmonic—music director: Pierre Boulez—interrupted its eight-thousand-one-hundred-and-forty-eighth concert to salute Saul Goodman and three other old-timers who are about to retire. Just before the last piece on the program, Mr. Boulez read a tribute to each of the four, and presented each with an engraved Longines watch and a scroll. Mr. Boulez described Mr. Goodman as "a living legend on his instrument," and went on to say, "During his tenure, the Philharmonic has had ten music directors, over fifty guest conductors, six concertmasters, and five managers. We can't compete."

We went to see the living legend the next afternoon. The Philharmonic was busy playing its eight-thousand-one-hundred-and-forty-ninth concert, but two of the four works on the program had no timpani parts, so we got half an hour with Mr. Goodman in a small room backstage. He was wearing the orchestra's daytime dress: black jacket, black tie, black shoes, long black socks, white shirt, striped trousers. Mr. Goodman is now sixty-five years old. He is short, has small, beautiful hands, wears glasses, and has graying brown hair



"Oh, Roger, you promised to unbend with me tonight!"

neatly trimmed, modest sideburns, good color, and a keen glance, and he was smoking a Palma Candela cigar. He is a good talker, too.

We asked him what he'd been thinking about during the ceremony the night before. "I was thinking how remarkable it is that my career has lasted so long," Mr. Goodman replied. "I was feeling sad but joyous. I've held a solo chair longer than anyone else in the world. I was also thinking about my students. I'm very proud of them. I've taught at Juilliard for thirty-two years, and my students now play for all the orchestras in this country, and orchestras in Denmark, Sweden, and Japan as well. The entire percussion section of the Philharmonic here is made up of former students. I could have stayed on with the Philharmonic for another couple of years, and I'd like you to write that I chose to retire at this time, in full control of my faculties. You can also state that conductors never retire. The kettledrum is a resonating body in the form of a copper kettle with a piece of calfskin or plastic stretched across its mouth. It takes great art and great skill to make this kettle into a musical instrument and get a definite note. To produce phrasing and tone quality calls for a great amount of imagination and skill. All my life, I've been making an effort to do this, and now it just kind of rolls out of me. Very often, a conductor needs rhythmic and dynamic support, and his instructions will not be adequate to get them. That is why a timpanist has to sense the desires of every conductor, why he must be inspired by the music. With it all, he must also have great discretion and a sense of balance. In the first and second movements of Beethoven's Ninth—and particularly in the scherzo—the timpanist is actually the conductor of the orchestra, and if he doesn't have a driving rhythm and dynamic expertise, the whole symphony can fall apart. I have secured patents on two of my inventions. One of them is for a device called the chain timpani, which makes the drums a lot easier to tune and is the kind of device that sounds simple but took a lot of work, although it was worth the effort. The other is a new snare drum, which I worked on with a colleague, and it's just now going into production. Everyone who has tried it says it is a superior, sensitive instrument. I make timpani, too, and I have perfected a metal that reduces the weight of pedal timpani by half. I also make seven kinds of timpani sticks, including a combination. It's a snare-drum stick on one end, and the other end is replaceable. You can put on either a timpani head or a xylophone head or a vibraphone ball. It's all a lot of fun, and I love to play the timpani. I'll have to get used to not playing practically every day. It's not going to be easy. The flesh is weak. I have to prepare myself for the future, and train others, while I can. I'll still be teaching at Juilliard. I tell you what. Why don't you come to a couple of my classes at Juilliard, and then you'll really understand the timpani?"

We said we would, and we did, and we'll tell you all about it next week.

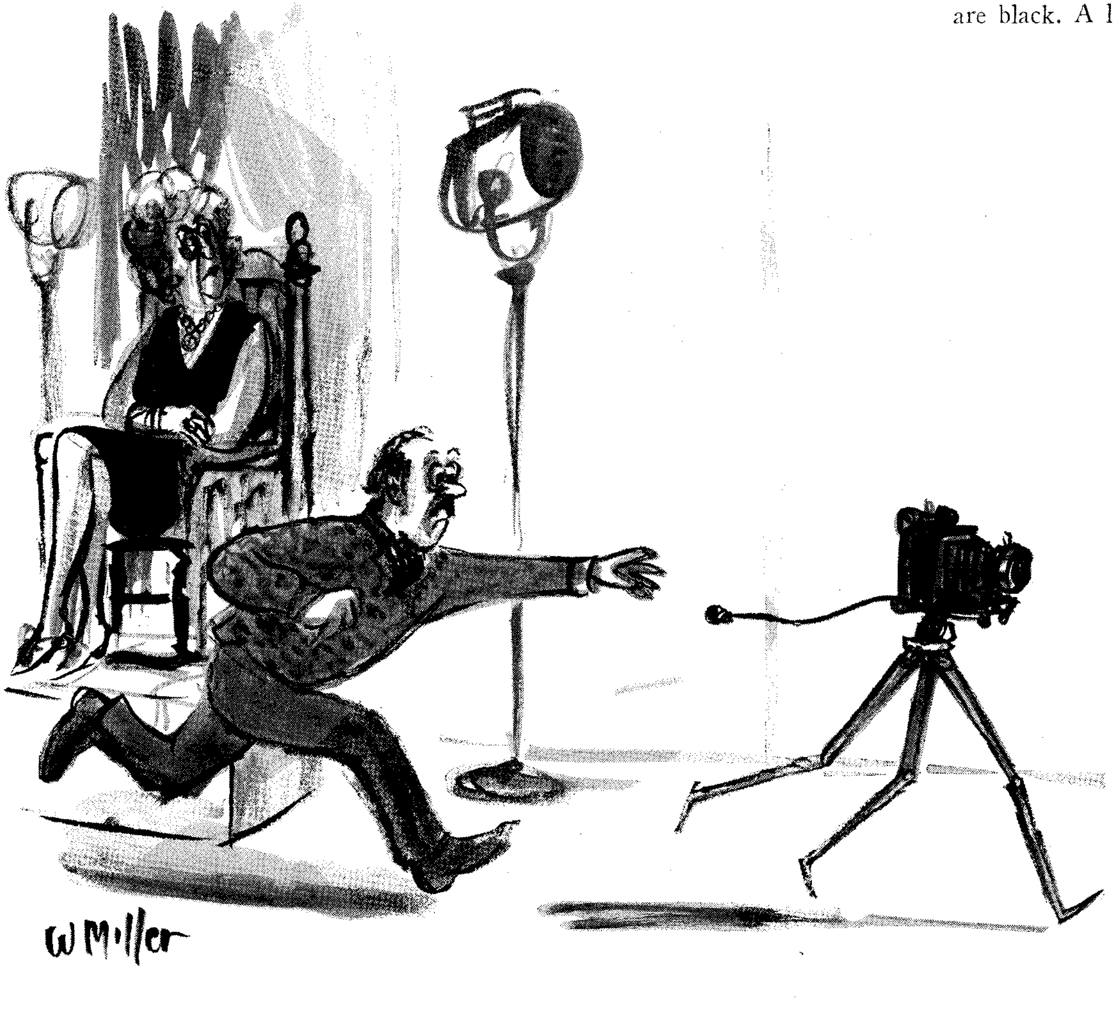
Pinpoint

A FRIEND of ours went into a Fifth Avenue department store the other morning to send a birthday gift to a friend of hers far away. The salesgirl carefully wrote down some details of the complicated address, which was in Dhahran, Saudi Arabia, and then looked up from her pad and asked earnestly, "Would you by any chance know the zip?"

Civics in Greenwich Village

GREENWICH VILLAGE has a problem, and this is it: It's part of New York City. That means it now has crime and no longer welcomes visitors. The people who live in the Village are white, but many of the people who go there on Friday and Saturday nights looking for a bit of fun are black. A lot of whites want to do something about this, but the only thing that might work would be to seal off the subway entrance at Sixth Avenue and Eighth Street, and they can't do that. Here's what they've done about the general problem—two things. No. 1: Formed a Coalition of Concerned Citizens "to restore and preserve the unique character of our neighborhood." No. 2: Held a town meeting.

The town meeting was held in the auditorium of a local school—P.S. 41, on West Eleventh Street—on a warm Tuesday night. Hundreds attended the meeting—not all of them members of the Coalition—and many spoke, and they must all have been concerned citizens, because they certainly



". . . and so it is with some degree of pride that I say there is no fat in this budget."

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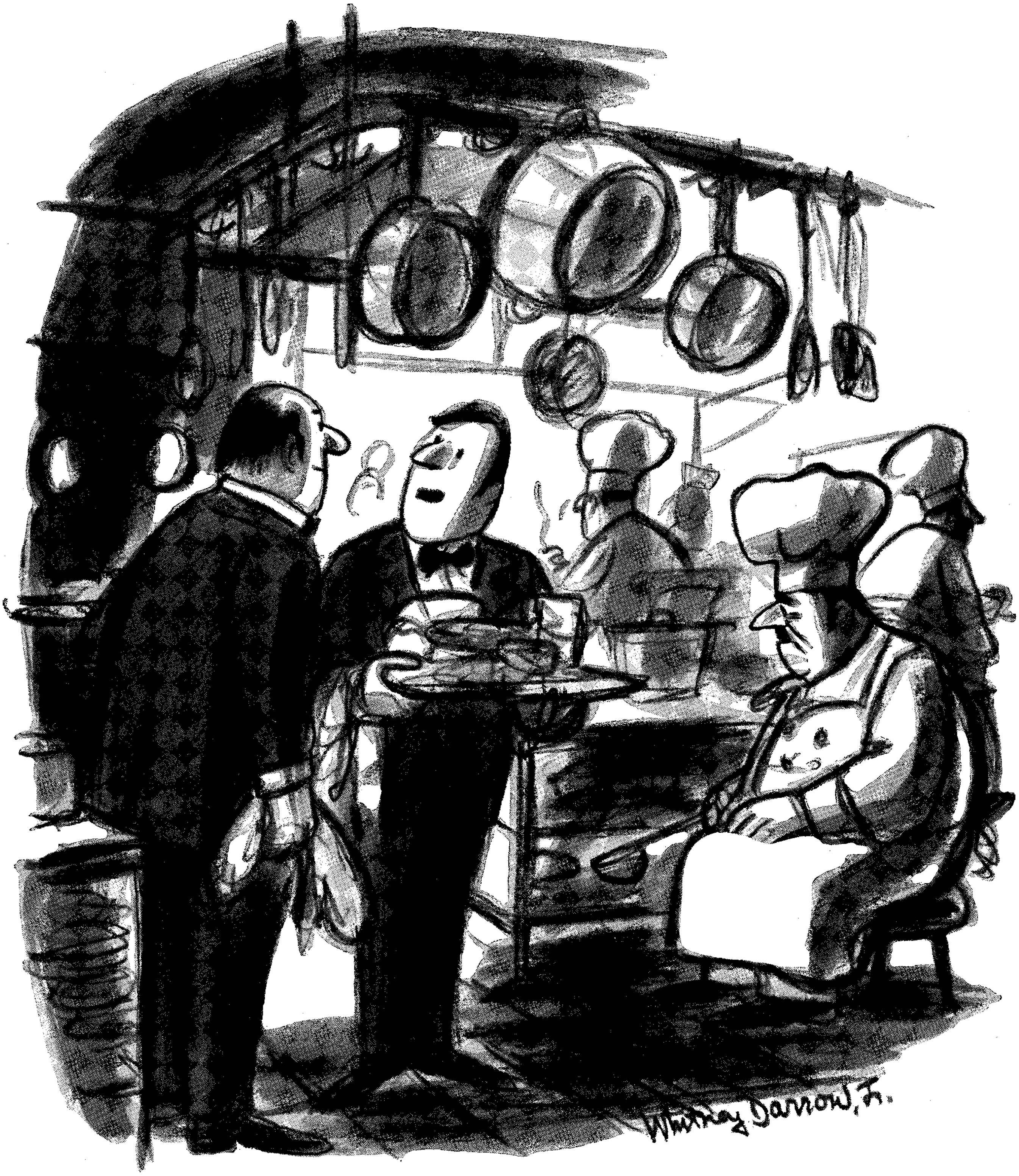
were all white. The meeting lasted just under three hours; it was divided into two phases, and each phase generated a number of suggestions. Here are the most interesting ones. (Note: The people of Greenwich Village find it difficult to talk racially, even when they are being racists, so you will find few references to race in the remarks that follow. With one exception, all those who spoke were jittery, and what had made them jittery seemed to be the presence of many new black faces in their neighborhood, but they found that difficult to talk about.)

Phase 1: Speeches from the Platform. A doctor from St. Vincent's, who declared that he believed in "peaceful co-existence," and who quoted Ted Kennedy and Haile Selassie, had this to say: "We must help these unfortunate persons because only by the grace of God are we not them, and they need help. If a child is battered and survives, he's going to become a hardened criminal." There were six speakers, including two local celebrities, who squabbled. One of them—Morris Ernst, the attorney, who writes a column called "I Have a Concern" for the *Villager*, a local weekly—said that the real trouble is the mass media, which refuse to print good news, because the only thing that sells is violence. Among the stories that the mass media had refused to print was one about how a hundred and seventy-four black families had recently bought houses in white neighborhoods in Westchester County costing from twenty-five thousand to sixty thousand dollars, and there had been no trouble. He also urged everyone to read more books, and praised the semiannual Village outdoor art show. The other celebrity, a broadcaster named John Wingate, took exception to these remarks, and announced his dislike of the art show. He also told three smutty stories. The first two stories got good laughs, but he lost the audience during the third one, which was about a priest named McGillicuddy and an Irishwoman who owned two parrots. Mr. Wingate said that he had attended one meeting of his block association, and that God knew it had been a bore. Everyone at the meeting, he said, had wanted a cop in front of every apartment. "Their idea of the kind of black they would like to be living next door to would be Ralph Bunche," he said, "and, to be quite frank, that would be my idea, too." Another speaker was a fourteen-year-old girl, who was the babysitter of the chairman of the meeting. She said she and her twin sister had recently had an experience. The experience consisted of being followed home by a bum—apparently, a white bum. Neither she nor her sister had enjoyed the experience. She suggested more cops for the community, and also parties for kids of fourteen.

Phase 2: Speeches from the Floor. This phase was introduced by the chairman, a marketing man named Moran, as follows: "Thank you, ladies and gentlemen, for your forbearance. And now, ladies and gentlemen, the floor is yours. We will enforce the three-minute rule." The first speech was shouted down. It was by a man who wanted to talk about venereal disease. He said that he understood there was now a V.D. epidemic in New York. "Almost everybody has it," he said. He was ruled out of order. He was followed by a woman who thought it would help if the community established soup kitchens for flower children. A young man with long hair said that the Village was the world's largest habitation of criminal types, and that the Hotel Greenwich, on Bleecker Street, where bums bed down for a night, should be eliminated. "You don't ask in this city," he said. "You demand. That hotel can be *exploded*." Another man wanted to know what to tell his daughter when she said she didn't like New York. "I am sick and tired of just apologizing," he said. A grandmother said she couldn't take her grandchildren to Washington Square, because they have some sort of


Whitney Darrow, Jr.

"Poor fellow! He's only had one compliment all day, and that was for the instant mashed potatoes."

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peculiar slide you have to be a contortionist to use. In Brooklyn, she said, parks still have simple swings. "We don't need these newfangled things you can crawl under," she said. She got a good hand. An auxiliary policeman who lives on Perry Street urged everyone to join the Auxiliary Police. "This city has the finest auxiliary force in the country, and one of the best police forces," he said. "There are four auxiliary cops in Washington Square right now, and, believe me, on a nice night like this, they'll be coming out of the woodwork."

Just before the end, when most people had gone home, a young man with a beard said, "I grew up in privileged circumstances, but I never learned how to be terrified by the earthy aspects of life. When I was growing up in the Bronx, I'd come down to the Village, because the Village was the one place where everyone could get together and benefit from the tradition of the melting pot. It was one of the great traditions of the Village, and it meant a lot to those of us who wanted to learn things you can't learn from a book. That's why I moved here. Otherwise I could have gone to Gramercy Park, which is still a private park that you can't even get into unless you have a key."

IN THE WORDS OF

TWO people are in a field in the Catskills. He is painting a watercolor. She is lying on a scratchy picnic-stained blanket, face down, reading field guides, listening to the chipping sparrows burr in the scrub oaks that stud the old pasture, a too loud towhee, some kind of woodpecker booming beyond a stone wall that once kept the cows out of the woods.

She goes over to see what kind. Near the wall is a patch of spring beauty, rose-veined, and white and lavender hepaticas. The field was filled with the hot smell of strawberry flowers when they were here last May. They meant to come back for the strawberries when they ripened. According to Euell Gibbons, you can eat the roots of the spring beauty, boiled.

One, two, three red-tailed hawks spin over the valley, riding the thermals, back and forth like prowl-car inspectors. She tracks them with the binoculars he gave her for her birthday, which is the same as his.

He swishes a broad-tipped paintbrush around in one of two coffee cans full of brook water, makes a wash, considers, and removes a fine-pointed brush from the box she gave him to hold the tubes of paint—alizarin crimson, burnt umber, forest green, Payne's grey.

The sky over the valley is an unpainterly cerulean.

Finally the painting is finished and they climb over another stone wall out to the dirt road. The road's other side is wide open to the hills, cleared land dropping away below them for miles. There are apple trees, buzzing with sparrows, above a white farmhouse, the closest landmark, and below that the increasingly flat perspective of stone-delineated fields, green-on-green polygons that recede in size and color like the paintings of Josef Albers. The fields fall to the valley crease, and on the other side the forest rises to join the sky.

The road is parallel to the valley; they begin to walk it without any discussion. Yellow-bellied sapsucker. Phoebes building a nest under a shelf of rock. A mushy spot in the road where water ran down from the mountainside (this is the watershed area); green shoots poking up in it. A brown thrasher asking everything twice, like a boring five-year-old. They walk close together, silent as painted people.

Words, after a while. She asks a question: "What is your day like?"

"Oh," he says, "I get up when I always did, go to bed at the usual time. It's important to make rules for yourself, and stick to them. . . . The trucks wake me," he adds, "and it takes me a long time to fall asleep again. I try to think about what to paint."

"Why don't you take something?"

"I'm through with props."

The road looks as though it must lead to a farmhouse. But it doesn't; they followed it once before, two birthdays ago. It leads deep into the woods and up a mountain. The trees as they walk get taller and older, blocking the valley view. An unkempt tangle of lilac which somebody planted, an unfamiliar fruit tree suggest some former habitation. (In the watery ditch last May bloomed forget-me-nots gone native out of some long-ago garden.)

"What do you have for breakfast?"

"Toast, coffee, juice."

"No more croissants?"

"Dr. Fellman told me I should lose ten pounds."

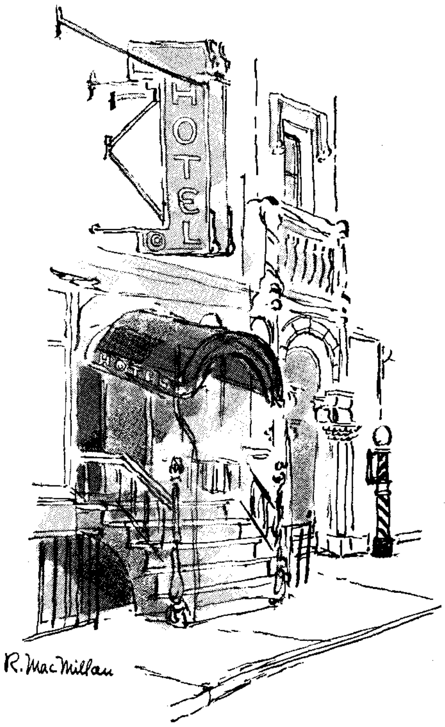
He looks thinner, almost ascetic; he has lost weight. Mostly around the face, a closening of skin to the bone structure, heightening the hawklike tenseness of his expression. There is a smudge of chemical green on one cheek.

"How do you spend the morning?"

"I'm taking a class at the New School. Just so I can have a place to paint with the right equipment, the right light. I paint there all morning." He considers a moment. "It takes a lot out of you, painting."

"Who do you eat lunch with?"

"Nobody. People in the class. Well, when I go uptown, fellows from the office if it isn't too late for them. Tuesdays, I have to lurk around the Bureaucracy."



"What do you do in the afternoon?"

"Usually I go home. Some afternoons I do another painting. Or answer letters and pay off the creditors. I try to take in the galleries; you can always learn from other people's successes and failures. Right now I'm hunting for a studio where I can paint all the time, and give classes."

"And give up the apartment?"

With surprise: "Oh, no. I'd never do that."

At this place in the road they saw, last time, a silly woodchuck trying to make a burrow in the hard dirt.

"Where have all the woodchucks gone?"

"I don't know." With better eyes than hers, he used to point out woodchucks spaced territorially along the Thomas E. Dewey Thruway, when they drove up to spend weekends at the Inn of the Four Seasons, or, in the words of the French, L'Auberge des Quatre Saisons. The seasons are deerslayers, skiers, fishermen, and swimmers.

"What do you do in the evening?"

"I would have been teaching that class at Brooklyn College. But only seven people signed up for it. You needed eight."

"Perhaps the word will have spread by next semester."

"Perhaps. It's hard," he admits, "to block in the time. The Martinis get earlier and earlier. Five o'clock, then four-thirty, then four."

Except for one occasion, they haven't seen each other in six months. It was his idea for them to revisit this scene.

"Do you invite people to dinner?"

"Daphne has high blood pressure and I haven't located another cook."

"Don't you get invited out?"

"Extra men are always being asked to dinner, thank you. Who wants to be *that*? Last night I ate at Barney and June's."

"How is Barney?"

"Barney's doctor told him his heart is six years older than the rest of him."

"How do you stand weekends? Saturday nights and Sunday afternoons?"

A slim sapling like a rod of copper, speckled white, some kind of fruit tree. Nothing here is in leaf or flower, not even the shadbush.

"I try to arrange things for weekends."

There are no more signs of a homestead, the road is well into the forest, wide enough for a jeep but redder and muddier and rutted, no longer going anywhere in particular, except up. They keep pausing, as birds shuttle back and forth across the road and she pursues them with the field glasses.

"Read any good books lately?"

"No."

"What about the theatre?"

"I took in 'Oh! Calcutta!' It was rotten."

"Haven't you kept up the subscriptions—Shakespeare, American Place?"

A shake of the head.

"Flicker, flicker," says a yellow-shafted one deep in the trees. It gets snowier the higher you go. Between the roots of the trees, gritty patches linger like white toes. And other things—a shotgun shell casing, a gold Ballantine beer can.

"Look—sportsmen," she says.

"People don't care what they throw away."

She sighs. "How long do you think it will be before the others discover this place?"

"They're probably on their way right now, Twig. It's going to be A-frames and Dairy Queens and beer cans and pay toilets right to the top of the mountain. People won't stop spreading. The trees are going to have to go."

From the throat of the woods the drumming of a large woodpecker, like the sound of an axe.

"But we need the forest. This is the watershed."

"They're going to flood this valley for a new reservoir. People won't stop breeding and spreading. In five years' time you won't recognize this place."

"What's the point of Earth Day, then? Zero Population Growth, recycling, anti-exhaust laws—" She stops when she sees he's not paying attention.

"Too late."

The valley is doomed. Water will lie upon the fields, the oriole-harboring orchards, the untidy, worthless back-country farms. This is the age of expenditure and success, expenditure and failure.

Climbing, a bit out of breath, into an earlier season: more snow and, on the north face of the rocks, frozen water like stopped fountains. They have never followed the road to the end.

"How far can we go?"

"We ought to begin to head back now. I've thought of some things to do to my painting."

"Let's get the car."

"Last time, if you will remember, we nearly got stuck to the hubcaps."

An enormous black bird explodes beside them, crosses the road stridently, and is absorbed by the trees before she has a chance to focus the binoculars.

"A pileated woodpecker!" She runs to the edge of the forest, searches for it. He looks at the sky, then at his uncle's heirloom watch.

"It was only a bluejay, Twig."

"Much larger than a jay. They're rare now, and I've never seen one. I need it for my life list."

But already he is walking away.

HE is lighter, but his step is heavier, and his shoulder blades protrude in the chamois-cloth shirt that she ordered for him from L. L. Bean for Christmas. Like wings, but not the wings of a hawk.

Ask me a question, pessimistic sojourner. I'll tell you no lies.

"Don't you want to hear about me?"

Silence.

"Perhaps I talk too much; you don't talk enough. If only I could get inside your head for two seconds."

"In answer to what you said *first:* I'm aware that I'm not as communicative as some. So what? I'm so tired of always trying to please people."

"Wouldn't it be easier to look for a new job?"

"Listen, I'm trying to learn to enjoy my freedom. . . . Freedom, I keep telling everybody, is for the birds."

"You are too hard on yourself always. Someone ought to tell you to be happy, for a change."

"I don't need anybody *else* to tell me anything. Look. I appreciate your intentions. Maybe you've gained a whole lot of insight. But I have to work things out my way. I just haven't got the future sketched in yet. Wait a few months."

"What about the cost of living?"

"The last time I paid my taxes I realized that I earned about the same amount as I get from the brokers. Well, I figured, I'm supposedly being paid a living wage, enough to support a family. So, since the only one I'm supporting is myself, I don't really need a salary, do I? In the words of Euclid, Q.E.D."

"What if we'd been married?"

"I don't want to talk about it."

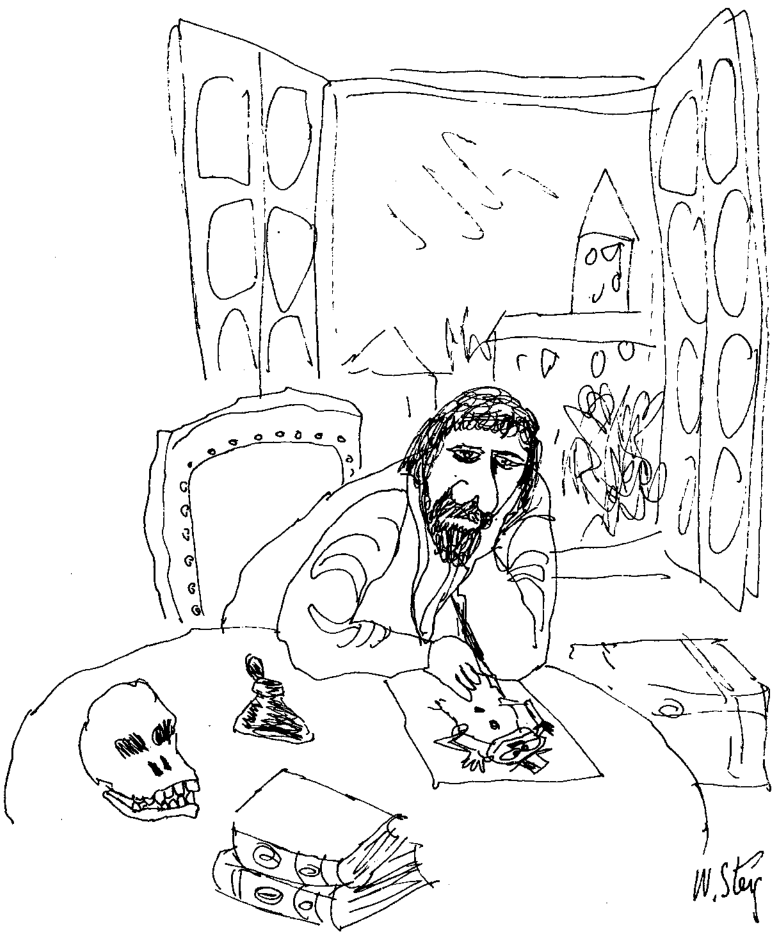
"Did you ever really want to?"

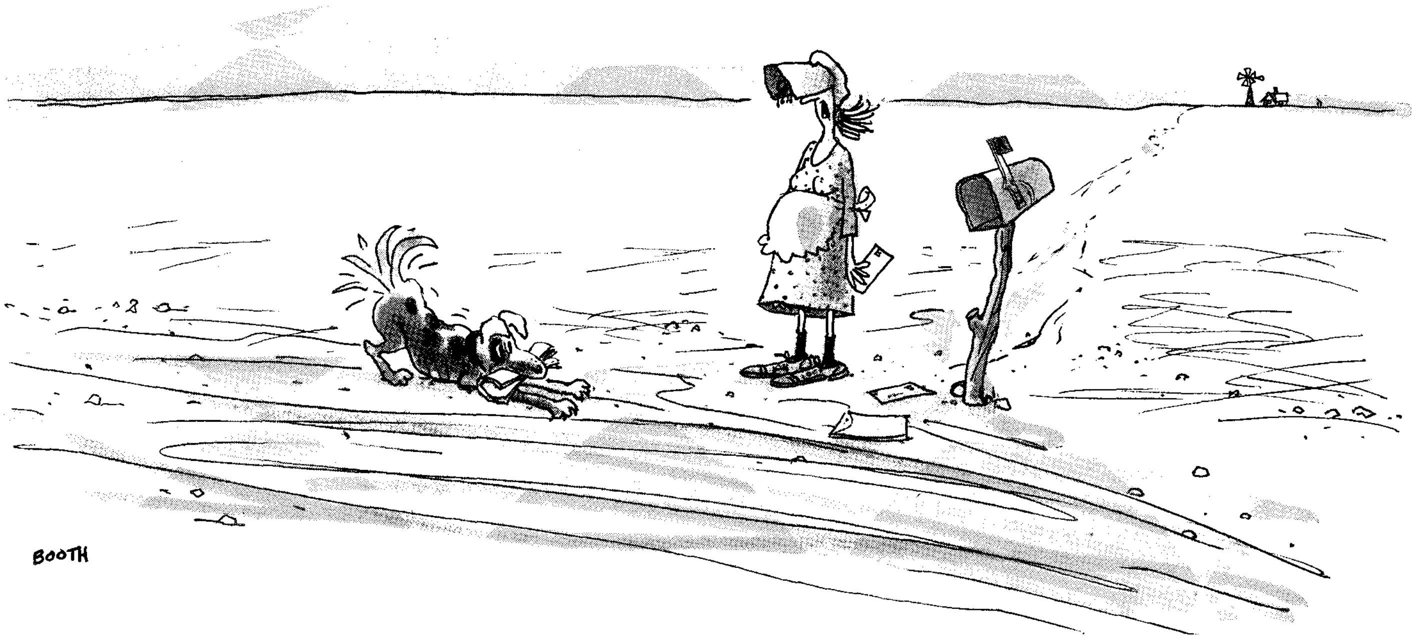
"I *said*, I don't want to discuss it."

In silence the two of them descend, watching out for the wet spots, past the detritus of the hunters; the lilac bush that tells of a family that wrested a homestead out of the wilderness, cleared a field, fenced it in from the woods with the rocks from it, planted a garden and lilac, quit farming or died; the phoebes' nest of clay and debris. The forest reaches over the walls, sends out advance parties—alders in the marshy low places, scrub oaks in the dry.

The trees march down the hillside. But the people are flocking out of the cities. Having drunk up the snow, the troglodytes erupt into the valley and begin climbing the hill, irresistible in number, thrusting on and devouring everything along the way.

If only the trees could fight back: a leafy, shadowy army. There would be trees enough to take on every man, woman, and child. Hand to hand, branch to branch, who





"You give me my 'Cosmopolitan' or I'll whop you!"

• •

would win? Wood is harder than flesh. But flesh has hands, and metal, and the secret of fire.

Fully illuminated, the valley is completely still, except for the wind, and the birds; in the middle distance a few clouds are shaping up. A scarlet station wagon is parked alongside the pasture wall.

"Why didn't you buy a car with a convertible top?" The wind blew her hair into spaniel ears when, in the old car, they swooped over the top of the hill for the first time and discovered all this land, vacant of people for miles and miles, except for the dirt-poor farms tucked into side roads like this one, with forest, fields, and, at the bottom, the meander of the valley stream.

Halfway down is a tiny cemetery on a little plateau, fenced in tidily like a rock garden, lonely as a moor. The state bird strolled bluely among the tombstones, mama and papa and four juveniles—a new species for her life list.

Pause. "Haven't you heard, Twig? The Great American Convertible as a species is extinct. Detroit doesn't make them anymore. The tops were always getting slashed."

"Let's drive down," she urges.

But he has returned to his easel; finds a need for another dark in the upper left, mixes burnt umber with forest green, wets the paper, strokes in color, which runs and feathers, dabs at it with a sponge, stands back. He has painted that tree over by the stone wall, lightning-struck, against a background of winter woods. On paper, it looks as if it were calling for help.

"It's good and strong. But I thought you had transcended your dead-tree period."

"I'm mostly abstract now, of course. You like it, Twig?"

"IF you were a bird, what would you be?"

"An ostrich."

"What kind of landscape?"

"Flatness. The tundra. The veldt."

"Flower?"

"A lichen."

"That's not a flower."

"They survive."

"What weapon?"

"Anger."

He taught her to play that game when they drove for long distances at night and couldn't look at birds or landscapes. She said, "You," but the answer was "My father."

ONLY a month ago he had called. "Just checking in." Then he sighed deeply and said, "You might as well be among the first to know. They're letting people go down at the Lie Factory. Ten of us got the axe this morning."

"Who's us?"

"If you see a fellow selling apples at the corner of Madison and Forty-ninth, that'll be me. I'll save you a juicy one." A few minutes later, her phone rang again.

IN an apartment, his, but she could tell you the number of floorboards in the living room, which seemed smaller: no rug. "The painters got more on my things than they did on the walls. I had to send it out for cleaning."

"You've moved the Mexican statue. I liked it under the skylight."

"The vandals smashed it."

He clutched her like a drowning person. "I'm going to miss the old place, I truly am. It's like losing your family. I've always had an office to go to. I even liked grinding out the fibs. Where am I going to go? What am I going to *do* all day?"

"You'll find another job."

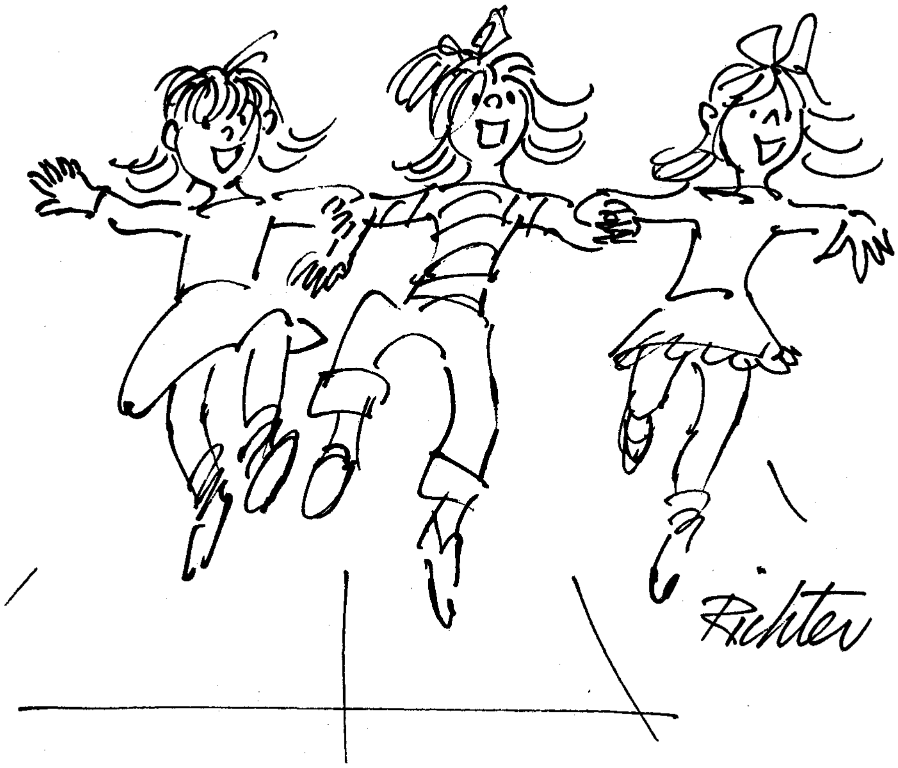
"The old man used to hide behind the papers at breakfast so we couldn't see the look on his face—there was such emptiness in his eyes. I felt ashamed when I left for school, knowing he probably wished he could come along." He held on and on. "My mother was watching him once and she whispered, 'The poor little thing.' I didn't know who I wanted to choke, him or her."

Later he repeated several times, "I'm so frightened. I'm so afraid it's too late."

She told him it was not too late. She said anybody would be frightened. Quite a number of her friends were out of work. To be sure, they were living in hard times. Yet, with his abilities, his experience, she was sure he'd hit upon something. It was nothing to be ashamed of.

"Why did you come here? I'm so ashamed."

Then he remembered his plan. "I thought it all out while I was waiting for you to come." He'd go to the chief and ask if they couldn't keep him on as a consultant at, say, half of his present salary, and perhaps he could free-lance on the side. So that when business



"Roto-Rooter, that's the name,
And away go troubles down the drain."

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picked up— "I feel as though I'm too old to go looking for another job. I need my job. I need my family."

His heart thudding. She couldn't look at his face.

He whispered, "You shouldn't have come here. It is too terrible."

THAT was only a month ago. And now he has no family—a man who so desperately loathed weekends he'd go to the office on Saturdays, before he took up with painting and her, not necessarily in that order. His old hat is jammed down over his forehead; his voice drops at the end of every sentence, angry, abrupt, and hollow. Every day is a weekend now.

Something like a bad cold inundates her eyes, her throat. Sorrow? Pity? No, she refuses to savage him with her pity. He is not a poor little thing. *They* are not poor little things.

Last week she opened a book and a picture floated onto the bed, a photograph of him, grinning at the camera and slightly out of focus. His hair was black; a piece of it fell over one eye. He looked as if he were about to ask a question.

Once he said, "I want to die," and she believed he would die without her. Whom does he talk to now about his paintings and the household gods, rage, futility, loneliness, anxiety, and despair? After a Martini or two he sometimes would pat her knee: "Twig. You're not so bad. There's a lot going on behind that smiling face. You've wisdom enough for both of us, if we just knew how to tap it." Eyes across the valley, where the water-bearing cumuli are streaming, receding like years, like five years.

Five years ago she was drowning and called out to him. And he saved her; he pulled her in, gave her artificial respiration, dried her off, permitted her to continue. How did she know he couldn't swim either? Cravenly she attacked his resources, insisting that he flourish, take an interest; she encouraged him to paint, which he is doing full time now, morning, noon, and night, though the Martinis get earlier and earlier and he wakes at three in the morning.

Oh dear, she filled his days but she could not add to them. Ultimately he was exhausted. He betrayed her: He got old—

Inclining always, anyway, toward death, away from life, stubbornly chopping at the foundations. At a distance she must follow him, strolling toward death in his L. L. Bean shirt and his old hat. Like a tortoise she had, a dry-land creature with a yen for streams and rivers; put him down near the bank and he struck out at once for the water. It whirled him away upside down in his shell, like a rudderless boat. No matter how you turned him around, he swerved back, ineluctably heading for the torrent. She held him back for a while but she couldn't turn him around, he was so eager to get away, perhaps more eager than ever.

IN the watershed region two people stand overlooking a lit valley, watching the clouds that move up from the ocean like buckets, dropping water that runs through leaves and tree roots down the slopes into trout streams with Indian names, streams that feed into the reservoir, to flow through the aqueduct pipes for a hundred miles to rise in the dirty, thirsty city where they live. In the rich and airy landscape she gropes for a way out of sorrow, can find none.

"Oh, why did we live together so long? What was the point?"

Looking down at the valley soon to be drowned, he replies finally, remotely, without tenderness, "Don't ask me, Twig."

In the words of W. H. Auden, "Thousands have lived without love, not one without water."

—JULIE HAYDEN

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THE PURE SUIT OF HAPPINESS

The pure suit of happiness,
not yet invented. How I long
to climb into its legs,

fit into its sleeves, and zip
it up, pull the hood
over my head. It's got

a face mask, too, and gloves
and boots attached. It's
made for me. It's blue. It's

not too heavy, not too
light. It's my right.
It has its own weather,

which is youth's breeze,
equilibrated by the ideal
thermostat of maturity,

and, built-in to begin with,
fluoroscopic goggles of
age. I'd see through

everything, yet be happy.
I'd be suited for life. I'd
always look good to myself.

—MAY SWENSON

THE ARIEL

"HE'S in his chair," Mum told me at the garden gate. "He'll be glad to see you. Sit and talk to him for a bit while I go and do the shopping."

"How is he?"

"Downright miserable—he says he's sick of people trying to cheer him up. Snaps your head off at the least thing. It's hard to know what to say to him, so be careful."

"Doctor been?"

"This morning, about an hour ago."

"What's he say?"

"Says he's doing fine but he's got to be patient."

"Well, he knew all along it'd be a longish job. Bound to take time, learning to walk again. He said so himself before he went in for the operation."

"But if you remind him he gets very bitter. Says he'd sooner have put up with the pain than be stuck on those crutches months on end."

"It's just depression. After all, he's only been home a few days. Everybody's like that. In a day or two—"

"That's what the doctor said."

"He couldn't have been in better hands. Just about the best hospital in England. He'll find it's worth it to be shot of that arthritis. It hurt me just to look at him walking about half crippled. How many years is it?"

"Getting on for twenty, must be."

"If he could be patient that long, what's another couple of months?"

"I know. See if you can talk some sense into him while I'm out. Make a pot of tea—you know where everything is. And give him one of his green tablets. They're behind the clock. I must fly—here's the bus coming."

She ran through a gap in the traffic. When she was on the bus, she waved from the back window. She looked tired; it must have been a difficult week for her.

HIS eyelids were shut too tight. I sat down opposite him, and waited for him to pretend to wake up; it's been a convention of ours, ever since I was a little boy and used to climb into bed between him and Mum first thing in the morning. He was wearing the blazer I'd given him. The black doeskin was in sharp contrast with his hair, which didn't look gray anymore but a loose, dry white. Usually, he kept it greased, shining and darker. I wondered how long it had been as white as that. His crutches, propped against the table between us, were the color of his hair as I was used to it—aluminum gray, with silver flecks that shone when the light fell at a sharp angle. I'd have to get accustomed to his looking older. He shifted in his chair, clasped his hands under his right knee, and sat forward.

"Hello, Jan," he said. He sucked in breath against a sudden pain, and then breathed out slowly, his lips pushed forward as if he was trying to whistle. "It's you, then."

"Hello, Dad. I thought we might go for a run along the beach, as far as Splash Point. What will you give me, a five-minute start?"

"Look, for Christ's sake don't *you* try to jolly me along. I've had enough of people this week coming in and saying things like that."

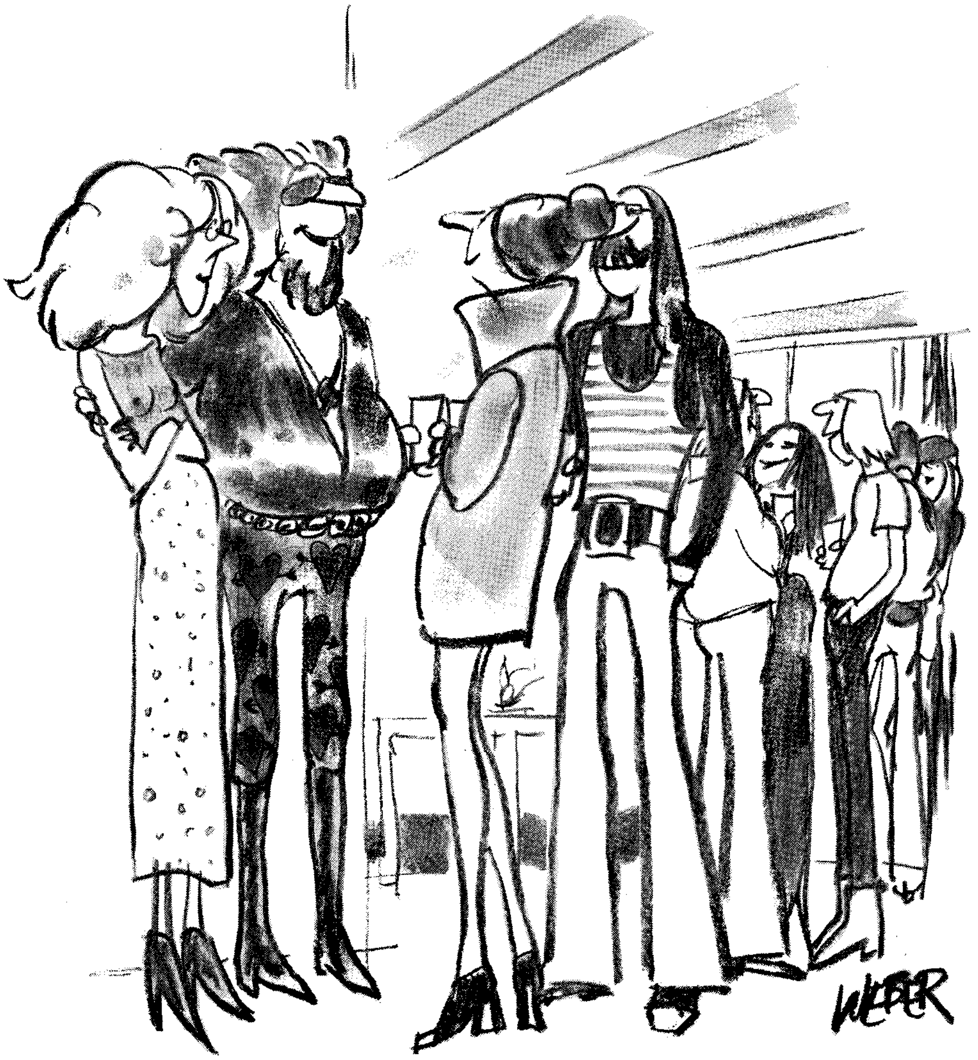
"All right, then. You look terrible, at death's door."

"Ha, blasted ha. Do something useful. Go and put the kettle on. And make it good and strong."

"You'll poison yourself one of these days."

"Might as well, all the good I am like this."

I went into the kitchen, filled the kettle, and plugged it in. His pint mug and my mother's flowered cup and saucer were set out on the yellow oval tray I'd given to them a few Christmases ago. I remembered the tin of tobacco I'd brought for him. That might cheer him up, though in our family we've always been shy about giving and receiving presents. We send them by post, or leave them lying about the house, rather than hand them over in person. When I gave him the blazer, I left it on the doorstep after dark, wrapped in brown paper. I didn't even put in a note. If I'd brought it round and asked him to try it on, he'd have said, "I can't take all your clothes off your back." And then the blazer would have hung for years in my wardrobe. Leaving it on the doorstep was the only acceptable way. I looked at him through the living-room door. There



"We're at the end of Robin's Egg Lane—ochre Colonial with green shutters, a clump of birches in front. Nine-ish, Thursday, and leave your worries on the doorstep."

he was, wearing the blazer in my presence, and he'd just asked me to make him a cup of tea. Instead of hiding the tobacco under his pillow, as I'd intended, I'd give it to him now. I skimmed the tin along the carpet, so that it came to rest within his reach, next to his crutches.

"There you are, you miserable old devil," I said. "Something for you." Before he had time to look in my direction, I went back to the kettle. It had come to the boil.

"There was no need for this!" he shouted. "No need at all. It's a *two-ounce* tin, goddam it."

"You can smoke yourself to death."

I made the tea. While it was brewing, I watched him pick up the tin, open it, smell the tobacco, and then put it out of sight beside his chair, under a newspaper. I poured the tea and put four heaped spoonfuls of sugar into his mug. I didn't stir it but left the spoon standing in the tea, almost submerged. "Here you are, then," I said, carrying in the tray. "It's so thick fur could grow on it."

"Have you stirred it up?"

"Hell, what do you take me for? Stir it yourself. And get that pipe lit. You don't look right, sitting there without it."

"No, I won't for a bit. Not been able to enjoy a proper smoke since I came to after the operation. Nothing tastes the same. Wish to God I'd never had it done. Don't think I'll ever get right. Should have left well alone. Want the spoon?"

"I don't take sugar. You know that."

"Don't know how you can suffer it without." He took the spoon from his mug and laid it on the newspaper. I watched the spread of the little brown stain.

"I daresay it's the anesthetic," I said.

"What is?"

"In your bloodstream still, making everything taste funny."

"Ah."

"It hangs about for days. Probably makes you feel depressed, too. But don't give in to it. Light your pipe, try to get back to normal."

"It's no good. I've tried. Tastes like old rope."

"Then try again."

"Can't. Left my pipe in the bedroom."

"I'll go and get it for you."

"You won't, then. I can manage quite well, thank you. I'll go myself."

The crutches clanked against themselves as he heaved himself up from the chair and fitted them to his arms. He balanced on his good leg for the several seconds it took him. We would both have been appalled if I'd had to help him. "Blasted things," he said, swaying unsteadily, "blasted tin legs. Who'd have thought it? *Me*, on blasted tin legs." He moved away on them, with an ease that astonished me, toward the passage.

He came back, with the pipe sticking out of the breast pocket of his blazer. He fell onto his chair, letting the crutches clatter to the floor. The sudden jarring of his hip hurt him, and he gasped.

"You've got to take one of your green tablets. Mum said."

"They're no damn good. I shan't."

"Take it, or I'll kick your bad leg."

"Give it here, then. Can't expect any sympathy from you."

"What do you mean, *sympathy*? I'm your son, aren't I? What's a son for if he can't kick his father's leg when he wants to? Is it very bad?"

"Terrible."

"I know. But you're supposed to say it's getting on fine."

"Well, it doesn't feel like it's getting on fine. By Christ it doesn't."

"Still no reason why you shouldn't *say* it's getting on fine. Listen, remember when I was a nipper and just had my tonsils out? You kept on asking me if I'd got my voice back, and I had to keep writing 'Yes' on bits of paper."

He smiled, looking away from me.

"Right, then. Take that tablet. You've still got some tea left. Swallow it with that."

He did. "I'm not sure it isn't these things that are getting me down," he said.

"If they do, then they're probably meant to. Painkillers. Anyway, apart from the fact that you've been hacked about and stuffed to the ears with green tablets, what's the news?"

"Old Charlie next door's got gout. Give us one of your rotten matches to light this thing." I threw him the box. "And Mrs. Ogden's dead."

"Mrs. Ogden?"

"The old girl with the dogs. Funeral's tomorrow. I'll have to find somewhere else to keep the old bike."

"The old Ariel? Surely it isn't still in Mrs. Ogden's garage?"

"Course it is. Where else would it be?"

"Nowhere. I thought you'd got rid of it years ago. Where do you keep the car?"

"At Mrs. Newton's, over the road. But there wouldn't be enough room for the bike as well."

"It's fifteen years."

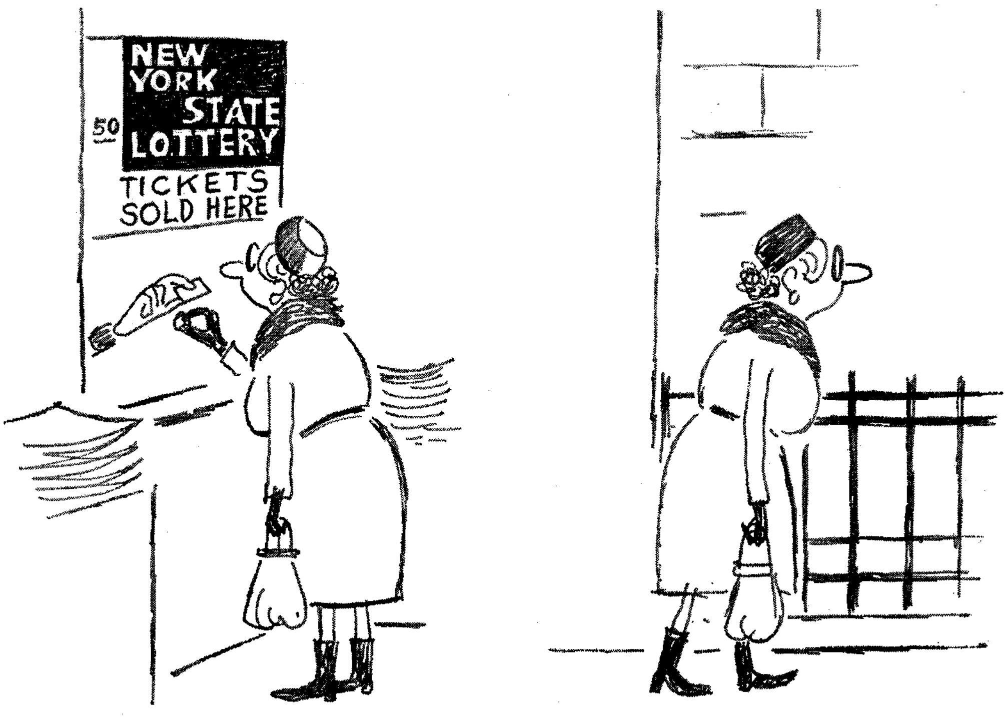
"What is?"

"I've worked it out. Fifteen years since you put that museum piece in Mrs. Ogden's garage. I was eighteen, just left home. When was the last time you went and had a look at it?"

"I never have done. I took it there, left it, and haven't been back since."

"But you used to love that old bike. It might have been an animal, the way you cared for it."

"Well, your mother didn't get on too well with Mrs. Ogden, so I didn't like to go. I hadn't thought much about



it lately, to tell the truth—not until the old girl snuffed it. I expect it won't be long before the house is sold, so I'll have to think of somewhere else to keep it. Can't bring it here. Your mother used to curse that bike when it stood in the outhouse. It was always in the outhouse. It was always in the way. I've always wanted a garage of my own, a little workshop. I could have enjoyed myself for hours, tinkering with the engine. You can't do a proper job in the back yard or on the kitchen table. Mind you, I had that bike going sweet as a Swiss watch right up to the day I took it to Mrs. Ogden's."

"Tell you what. Let's go and have a look at it. Got the key? You could manage to get that far, couldn't you?"

"I shouldn't. I'm supposed to sit still."

"Come on. Mum's going to be ages yet. It's only a few yards down the road. Bring your pipe. Still not lit it, have you?"

I WAITED for him in the garden while he searched through the cases under his bed for the key. God knows how he was going to manage. I'd give him five minutes. If he hadn't come outside by then, I'd just have to go and help him. But the thought alarmed me. When I was fifteen or so, he fell off a ladder while he was painting the upstairs windows. As I ran to help him, he bawled out, "Don't get in the way, silly young devil! Go and tell your mother I'm trying to get up, and tell her to put the kettle on."

He came out, carrying the key between his teeth. There was fluff from under the bed all over the blazer. I took the key from his mouth and put it in my pocket.

"I could have carried it," he said.

"I know. I wanted to talk to you. Hey, do you reckon the bike's still there? Suppose she gave it away for scrap?"

"We'd better get a move on and find out."

Usually, we keep in step when we walk along together. I found myself trying to take strides as long as the reach of his crutches. He used them with an expertise that reminded me of his carpenter's skill with tools, but he spread them unnecessarily wide so that there was not quite enough room for me to walk on the path. When we reached the garage, I undid the padlock and followed him into the half-dark.

"Well, damn my rags. She's still there—look," he said.

At first, all I could see was a heap of sacks and old coats, but then under them I glimpsed the license plate.

"See that? VP—"

"9805," I said. "Let's get the trappings off, then. Bet she's smothered in rust."

"You're on. The tires might be a bit sad after all this time, but I gave all the metal parts a good greasing over. Stand back. I need some room."

He propped himself on one crutch, using the other to lift the coverings. They dropped on the floor, with little explosions of dust. He went red in the face trying not to cough. I looked round the garage for a light switch but couldn't find one. I opened the double door wide, and wedged it with a half brick. Back inside, I found him leaning against the wall near the bike. He'd found the light switch; a frail, yellowy glow was seeping from a cobwebbed bulb just above his head.

He began to fill his pipe. I took out my handkerchief and dusted the saddle. I used to sit on that saddle for hours when I was a small boy. I could just reach the handlebars if I lay along the tank in a racing position. Sitting on that scallop-shaped saddle, alone in the cluttered outhouse, I'd let my fantasies swamp over me. The machine had been battleship, castle, castaway raft, an elephant, and all the horses I had ever read about—Bucephalus, Rosinante, and the Lone Ranger's Silver. Sometimes, when the Tourist Trophy races were being held in the Isle of Man, or when I'd seen Dad ride past the house at full throttle along the Brighton Road, my dreaming turned it back into the powerful motorbike it was. In my goggles and shining leathers, I'd scream round tight corners in quiet villages and make brief refuelling stops in busy pits. I must have ridden that bike farther and harder than Dad. It had taken me up mountains, across deserts, under oceans, and even through the soft white dust of the moon.

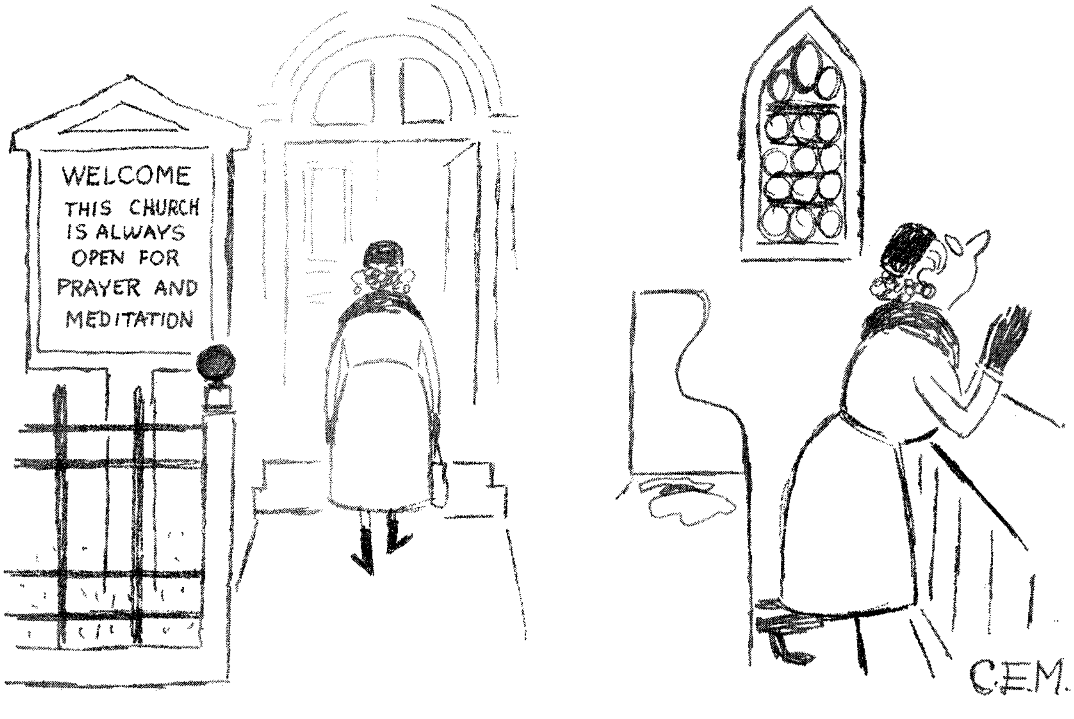
I shook the handkerchief and put it back in my pocket.

"See? I told you. Not a trace of rust," Dad said. He scraped a thin line through the grease that coated one of the exhaust pipes: chromium glinted the length of the mark he made with his crutch on the silencer. "Not in bad shape, is she, considering she's forty years old nearly? Better than me. Come to think of it, this bike's got a lot to answer for. Probably started off the trouble with my leg."

"How do you mean? Getting yourself wet, riding through the rain?"

"No, not that. Mind you, I expect that didn't do much to help. But not long after I'd bought it—sometime in 1930, I think it must have been—I fitted a high-compression piston and quick-lift cams. It was already a fast bike, but I had to try and get an extra ten miles per hour. So, for twenty-three years after that, whenever I kick-started her, she kicked me back."

"I used to pretend the bike was a mule," I said, "loaded up with stuff to



take across a mountain pass into Tibet. What was that film called? You know, the one where the plane crashes in the snow and all the passengers are taken to a monastery?"

"Don't know."

"Yes, you do. It was on television a little while back. An old, old film. I think they did a remake of it. It wasn't as good as the film I remember."

"I was nineteen when I bought it. Cash down. Forty-eight pounds ten, plus five guineas for lights."

"You're always telling me how hard up you were in those days."

"I was. We all were. But you were nobody if you hadn't got a bike. Most of the lads bought them on the never-never, but your grandfather made me save up every penny until I could pay cash."

"What did you do then, you and the other lads? Terrorize small towns, like Marlon Brando?"

"Who?"

"Marlon Brando."

"I used to go with Trunkie Jennings to the dirt-track meetings. He rode as an amateur, and I got in free as his so-called mechanic-helper. You've met old Trunkie, haven't you? Did I ever tell you how I first met him?"

"No."

"Well, one day I'm riding along, nice and steady, and Trunkie overtakes me. And he's standing on the saddle, with his arms waving up and down like an eagle." Balancing on his good leg, Dad spread his crutches wide and flapped them slowly. He was grinning, but he winced as he put a little weight on his bad hip. "I knew who he was. He lived not far away from our house. A few days after his eagle stunt, he came round to ask if he could borrow a quirly-quirly."

"A what?"

"He meant a brace and bit. The wind had blown down a big tree in their garden and he wanted to bore a lot of holes in it. He filled the holes with gunpowder and blew the tree up into little splinters. I got pally with him after that. And with his brother. We called them Trunkie One and Trunkie Two."

"I didn't know he had a brother. What became of him?"

"Poor devil. He got killed racing at Donnington in '33. He'd got hold of a Velocette that had been used in practice for the T.T. It had a defective gearbox. Kept jumping out of top at high speeds. Trunkie One tried to make him have it put right before the race, but he insisted it would be all right. Anyway, during the race, he glanced down at the foot change while he was trying to get in gear. He went off the road, hit a tree, and was flung off. He'd have been unharmed but for the fact that he was wearing a helmet that was too small for him. The helmet was knocked off, and the skin rubbed off his head, right down to the skull. It took him two days to die."

THE KITCHEN, 1926–1939

1

The cupboard was bare. But it wasn't.
Flour bin to cookie jar, "full, full,"
sang the cold cupboard.

2

"I," said the mouse, "with a worry of whiskers,
a dance down the attic
stairs, dined in its darkness."

"I," shrieked the beetle,
"scurried its tunnels,
lonely as autumn."

"I, I," called the robins, the sparrows, the starlings,
"driven dead winters
feasted on breadcrumbs."

3

They were waiting:
dog's dish by the back door,
dog biscuits in the white cupboard.

4

Outside the black door, snow wrestled wind from November to April.
My grandmother has her hand on the doorknob.
My grandfather stands at the top of the cellar stairs.

The house is twisting in wind.
The flour bin is full of dry snow.
Slivers of dry snow knife over the doorsill.

5

Oh, grandmother, you are a leafless plum tree dusted with snow.
My grandfather has lost his way in dark cellars.
All beetles and starlings are transparent air.

Our hungry dog's a jumble of glass bones.

—John Untereker

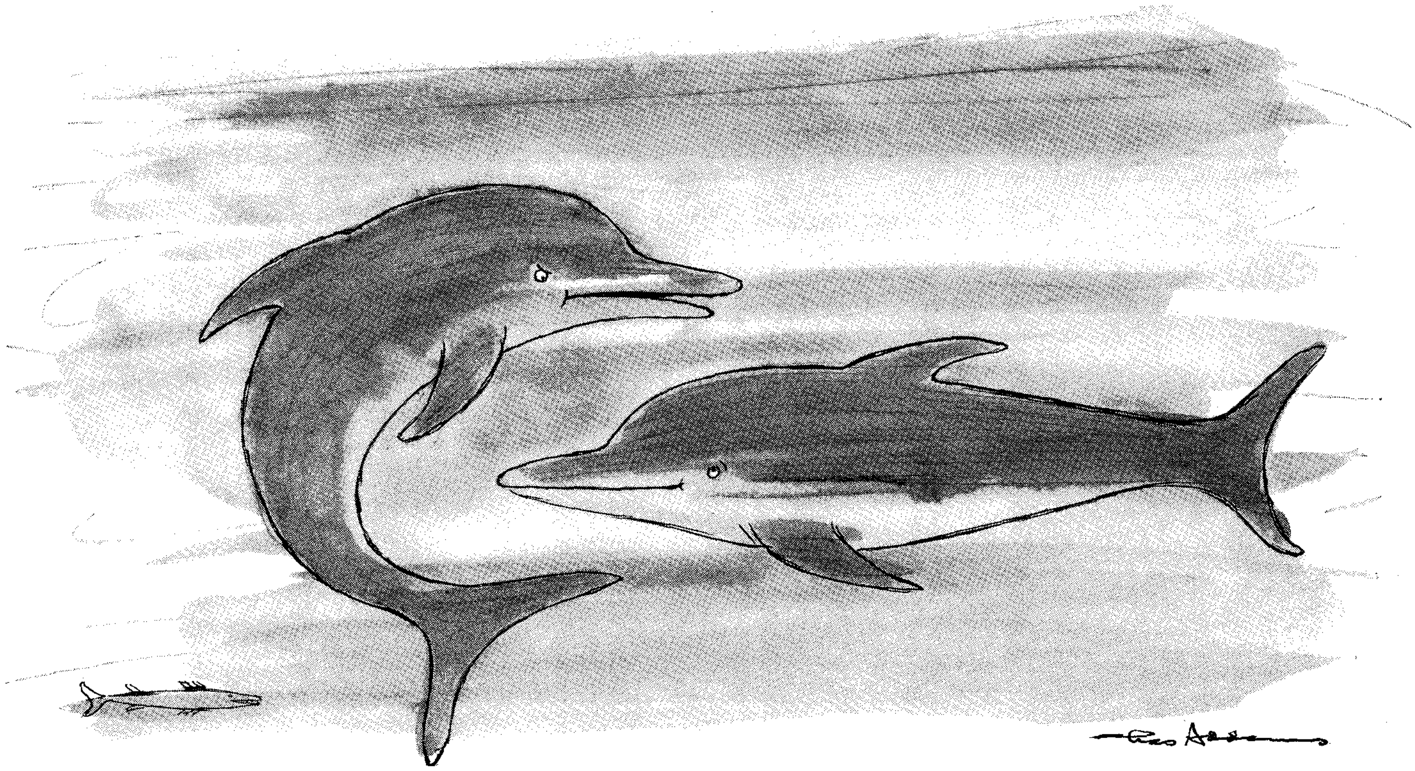
* *

I shivered, thinking of the rasp of bone, the jagged ends of skin.

"He was always having accidents. I remember seeing him hit a car down Poplar Road. He slid over the roof, and left the lobe of his ear on a wastepaper basket fixed to a lamppost. We all knew he'd kill himself one day."

"What about Trunkie One? Did he ever get hurt in races?"

"Everybody did. We all did. Trunkie's got a blue mark in his lip to this day from a cinder that got under the skin when he crashed his bike at Perry Barr. Mind you, he was a good rider. He competed against all the big men of the day. Dirt-track riding had only been in existence for a year or so, but already there were professional riders. There was Sprouts Elder from America, and Vic Huxley, and Daredevil Dicky Smythe, and Billy Lamont from Australia. They say that Vic Huxley earned three thousand pounds in six months. That was big money in those days. The big prizes were the Golden Helmet and Golden Gauntlet. Trunkie never stood a chance in the big races. It used to take us half an hour to strip down his bike for a race. The big boys had special *machines*—specialty bikes that were only meant for racing. Sprouts Elder rode a 'Peashooter' Harley-Davidson, and Gentle Jimmy Gent had a Dunelt two-stroke. Jimmy used to drill holes in the flywheel, to make it lighter. One night, I remember, it split and flew out of the crankcase. There were bits of it all down the track. After the race was over, he



"Where were you when they passed out brains to dolphins?"

• •

walked along and picked up all the pieces and put them in his helmet. Great days they were, before dirt-track racing became too professional."

"Sounds like it. Skulls showing through the skin."

"But they were. Great days. If you'd got a bike, you were better off than a king. You'd come away from a race meeting and fancy yourself as a daredevil rider like Dicky Smythe. Being out of work and poor didn't matter anymore. One night, at Hall Green or Perry Barr, Sir Henry Segrave did a lap of honor. He'd just broken the world speed record in his car, the Golden Arrow. We all imagined that we could do the same on our bikes. It was something to live for. You drew the dole money of fifteen shillings, and for one and fivepence you could have a gallon of petrol and believe you were rolling in money."

He sat on the bike, sidesaddle, and I took the crutches from him and leaned them against the wall. He unscrewed the cap of the fuel tank, sniffed, and screwed it back on. I tried to imagine what he had looked like when he was nineteen years old, when the bike was brand-new. I'd seen photographs of him as a boy and as a man in his twenties, but I had no picture of him as an adolescent, out of work and speed-crazy. It pleased me to think that he had used the bike as an instrument of his dreams in much the same way I had done. It pleased me to see him sitting sidesaddle on it, in the attitude of a rider who has made a racing push start. He was twisting the throttle and testing the clutch and brake levers, fingering the gear change at the side of the tank.

"Come on," I said. "It's about time you were back in the house. We only came for a quick look. Mum's going to be back before long."

"She used to go with me to the track sometimes. We all had pillion seats. Flapper brackets, we called them. You ask her if she can remember the tune that was always being played over the loudspeaker when we first started going to the race meetings. 'My Blue Heaven.' You ask her."

"There'll be hell to pay if she gets home and finds you're not in. And she'll blame me for putting you up to it."

"Quite right, too. You did. I'd better start getting the covers on again."

"Don't bother to do that. You'll be moving it in a day or two. I tell you what. I'll keep it round at my place if you can't find anywhere else. Come on."

HE stood up and took his crutches. When he'd lit his pipe, he switched off the light and went outside and waited for me to close and padlock the door. Neither of us spoke on the way back to the house. I thought of him as a corporal dispatch rider in the Home Guard during the war, and how he'd camouflaged the Ariel with brown and green paint. The bike used to be a tank for me in those days, or a jeep, or an armored car. When we were sitting down in the living room, I told him about my fantasies on the bike when he wasn't there to see what I was doing. He said he'd give the bike to me one day if I wanted it, but I said I couldn't dream of taking it away from him.

By the time Mum got home, he was making plans for cleaning up the bike and overhauling the engine during the weeks that he'd have to be off work. When his leg was better, perhaps he'd be able to ride it in the Veterans' annual run from London to Brighton. All he'd need to buy was a pair of tires. He guessed he could do the fastest time of any bike in the race; after all, the day he put it in Mrs. Ogden's garage he'd done a comfortable seventy. He was talking fast and excitedly when Mum came in with the shopping.

"What's come over you?" she said.

"Ask her," he said. "Ask her what tune they used to play."

—TED WALKER

•

After prayers in the school and marijuana, Miss Rountree's crusaders will settle on other issues of mutual concern. —*Jo-Ann Albers in the Cincinnati Enquirer.*

It's nice to have a quiet time first.

REFLECTIONS

THE NEW JUSTICE

ALTHOUGH some conservatives in this country cling to the belief that Communist conspirators still pose the gravest internal threat to the United States, the most astute and practical-minded members of the right wing have long since concluded that the domestic Cold War is more or less over, and have swung their fire toward a new enemy—the criminal and anyone who is "soft" on him. They have much to gain by the switch. For one thing, unlike Communism, the widespread existence and the alarming growth of crime in America directly affect, or can easily be made to seem to directly affect, just about everyone. For another, the scope of what once was considered to be criminal behavior has recently been broadened in the public mind to cover a large number of activities that only a few years ago no one except political hysterics on the extreme right would have viewed as truly criminal—civil disobedience, the expression of political dissent through demonstrations, and, at times, even harsh criticism of the government. Since most people are personally afraid of the mugger, the robber, the rapist, or the murderer and are generally distressed by social discord, politicians who promise most in the way of soothing private fears and restoring public order have a far better chance of changing the shape and direction of society, or of stopping the kind of change they don't like, than they ever had when they relied on an ominous-sounding but vague Red menace to frighten the people and to intimidate moderate and liberal leaders. Phrases like "handcuffing the police," "coddling criminals," and "allowing the depraved to roam the streets at will and prey on the innocent" have a far more immediate appeal to the average person who is unhappy about society, probably without quite knowing why, than all of Senator Joseph R. McCarthy's murky fulminations against "the minions of Stalin" in the State Department "who have been betraying this nation," which so inflamed the populace twenty years ago.

There are some signs—clear but not clear enough to constitute evidence—that the "crusade" or "war" on crime has been and continues to be used by officials of the Nixon Administration, particularly of the Justice Department, to alter what has long and widely been accepted as the fundamental nature of our society. The danger today is not only that the Constitution will continue to be violated by the government, as it has been repeatedly in the past couple of years, but that the present Administration will rewrite the essential protections contained in that document, with the consent of the governed and the agreement of Congress and the Supreme Court, in the name of private and public security. While some revision of this kind has already been made in recent years—to a critical extent in certain areas of civil liberties—it would be rash to conclude that the nation is in the grip of a repressive and authoritarian regime. At the same time, it would be equally rash to ignore the realities taught by history. Chief among them in this regard is that every government tries to increase its power at the expense of the individual, because at all times and in all places there are government officials who *know* what is best for the people and are determined to impose it on them for their own good.

RADICAL movements typically select a powerful and terrifying foe on whom they can heap enough blame for what seems to be wrong with society to conceal what is actually wrong. Over most of the past half century, the threat of Communism provided such a screen for the right-wing movement in this country. Many of its members were also convinced, by no means incidentally, that the Communists would separate them from what they so cherished—their property. Dire as that threat seemed, it scarcely compares, in depth or breadth, to the kind of fear that assails millions of citizens today who feel that they may be separated at any time from property, security, and even life. Conservatives have always used government to prevent change, and since the backbone of conservatism is made up of a series of economic vertebrae—from hatred of taxes to disapproval of all welfare—it was perhaps inevitable that among the many advantages those on the right could expect to gain from the new conservatism would be its power to forestall large economic changes. Liberals are probably correct in claiming that the foster parents of most criminals are slum life and hopelessness. But conservatives are certainly correct in sensing what an alarmed public wants—something to be done *now* about crime. And doing something now does not include mounting an immense rescue mission for the poor, who commit most of the violent crimes that frighten people. That kind of reform would cost too much money and would take too long, even if it were politically and socially desirable, and for conservatives it isn't. Rather, they say, the solution lies in enacting stricter new laws, applying unused old laws, imposing longer sentences, and making prisons so disagreeable, despite all the current talk about prison reform, that their occupants won't want to be sent back to them once they get out.

Judith Shahn

For some years, Richard Nixon has been the leading proponent of this view. In the 1968 Presidential campaign, he repeatedly called for a crackdown on lawbreakers, and offered his solution: "If the conviction rate were doubled in this country, it would do more to eliminate crime in the future than a quadrupling of the funds for any governmental war on poverty." Since today's prisons and jails are vicious crime factories, doubling their occupancy now would actually insure that twice the number of hardened criminals would be returned to society in the future. Still, Mr. Nixon's course has one virtue—it is cheap. Compared to the costs of reconstructing the country's major cities, building thousands of schools, and creating millions of jobs, the cost of doubling the capacity of the country's "correctional facilities" would be virtually invisible.

Most urban robberies, rapes, and homicides in this country are committed by men under the age of twenty-five. In a composite portrait of the kind of young man who commits them, the President's Commission on Law Enforcement and Administration of Justice has described him as "likely to be a member of the lowest social and economic groups in the country, poorly educated and perhaps unemployed, unmarried, reared in a broken home, and to have a prior criminal record." Other studies add that he is likely to live in a city and to have a grievance against so-

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AN ATTENDANT WILL BE HAPPY TO ASSIST YOU IN ITS USE.
5

"Now, now, Harriet. Don't start anything."

ciety, especially against the police, with no constructive way of working it out. All this describes not merely the average young criminal but a very large number of young black men today. More than half of the black people in the United States are under the age of twenty-five. According to the Bureau of Labor Statistics—whose figures have been criticized as being far too low in this area—roughly fourteen per cent of black men of all ages are unemployed or underemployed, compared to half that percentage for white men. And thirty-one per cent of all black teen-agers have no jobs at all. From 1966 to 1975, the number of youths between the ages of fourteen and twenty-four living in black slums—the group with the highest crime rate—will have risen by a staggering sixty-three per cent. That presages not an increase in the flow of crime but a torrent. Inescapably, the poor commit crimes, sometimes out of resentment, sometimes out of laziness, or sometimes out of need, but most of all because they live in a society where they find little besides poverty, sickness, and violence and are rarely exposed to any traditional moral standards. Today, most of those who commit the crimes that are most feared—assault, rape, murder—are black, and most of their victims are black, too, although by now enough violence has spilled over into white neighborhoods to make it a political problem. (A dozen years ago, Nathan Sobel, Chief Judge of the Kings County Court of General Sessions, stated that the majority of crimes committed in Brooklyn were the work of young Irish Catholic men.) If a third of all young black men cannot get work and cannot earn enough money, say, to buy a suit of clothes or even enough to take a girl out for a movie and a glass of beer, they are likely to steal. And if they have little hope of ever getting a decent job, they will likely turn to drugs to ease their frustration and bitterness. Then, of course, they will have to steal more. Since very little is being done to provide training or work for them, the results seem inevitable. And since these figures are no secret, the Nixon Administration seems to be purposely following a course—malignant neglect, one might call it—that aggravates rather than alleviates the major cause of crime in America.

When the plight of the poor, particularly the black poor, became unavoidably clear to white Americans a decade or so ago, Congress enacted a greater number of effective civil-rights laws in half a dozen years than it had in the previous century—most of them aimed at ultimately improving the social and economic lot of the deprived. No doubt part of this response was caused by fear that the poor, particularly the black poor, would take what they had been denied for so long if it wasn't given to them. The great civil-rights demonstrations of the early nineteen-sixties showed their determination, and the riots of the late nineteen-sixties showed their desperation. The ordinary white citizen was alarmed and sickened by the brutal repression at Selma, but as time passed he was also alarmed, and then frightened, when a black family moved into his neighborhood and the value of the house he had worked for plummeted, or when he found that a black man was after his job, or when large sections of cities were burned and looted by blacks, or when he discovered that most street crime was black crime. If these factors did not make him an out-and-out racist, they made him often act like one. And they also provided politicians on the right with an opportunity to lure such citizens, mainly lower- and middle-class white-collar workers and skilled laborers, away from their traditional support of the kind of liberalism that promised more for "the little man." After all, who was the little man now?

In the view of William F. Buckley, Jr., conservatives are realists above all else. Compared to most liberals, they are—at least, in the short run—for they are usually more practical planners, more capable managers, more willing to compromise differences among themselves for the sake of a common effort, and less given to prima-donna posturing to proclaim their integrity and independence. (Liberals have held a numerical superiority in the Senate over the past decade or so, but they have a far poorer record of achieving their ends than the conservatives there.) Primarily, though, conservatives are more realistic because they have such a low opinion of humanity, and are willing to put it to use. One way they have put it to use politically is by nurturing the white man's fear of the black man—a very deep, perhaps ineradicable, fear by now—as the seed of their grass-roots support. Barry Goldwater planted the seed during his 1964 campaign for the Presidency, and Richard Nixon harvested the crop in 1968 by repeatedly promising in the North that he would crack down on those who committed crime or fomented disorder and by repeatedly implying in the South that he would slow down the pace of desegregation. North and South, the message was the same: black men would be controlled.

If demands for social reform were to be silenced through exploitation of whites' fear and resentment of blacks, the agitation for civil rights for Negroes had to be discredited. One way to accomplish that was to equate it with crime. By now, the equation has been drawn and accepted by many people. "I suppose it was almost inevitable that 'law and order' got mixed up with civil rights," former Attorney General Nicholas deB. Katzenbach wrote in 1969. "It had been, after all, the plea of the white segregationist. To compound the connection, 'law and order' was also the catchword of Barry Goldwater, who voted against the 1964 [Civil Rights] Act, and George Wallace—the segregationist hero—in the 1964 and 1968 Presidential campaigns. It was, too, Senators McClellan and Ervin and Thurmond—fervent segregationists and strong critics of the Court's civil-rights decisions—who led the legislative battle to curb the Court on criminal procedure." Those procedures governed treatment of criminal suspects and defendants, the bulk of whom, again, were black. A year after Katzenbach's statement, a leader of the right wing spelled out the connection between crime and civil rights even more precisely. In a letter to the Washington *Post* during the contention over the nomination of George Harrold Carswell to the Supreme Court, Assistant Attorney General (now Associate Justice) William H. Rehnquist wrote that "further expansion of Constitutional recognition of civil rights . . . logically brings in train . . . further expansion of the Constitutional rights of criminal defendants, of pornographers, and of demonstrators." In other words, if you give someone you don't like the right to go to a decent school or to sit at a lunch counter or to vote, you're going to have to give other undesirables the ancient privilege against self-incrimination that the rest of us have, and you're going to have to give still others you disagree with the right to speak and to assemble freely.

The black riots that followed the assassination of Dr. Martin Luther King in 1968 made it far easier for conservatives to equate the assertion of civil rights with crime. In this case, the equation had some substance, for, whatever their grievances and whatever their needs, the *rioters broke the law in* violent ways that had not characterized earlier black protests. But the right wing interpreted their behavior as sufficient reason to deny black people in general the simple human right to a bearable life—the right to decent housing, decent education, and decent jobs—because if these were provided now, the argument went, it would prove that the rulers of society could be easily

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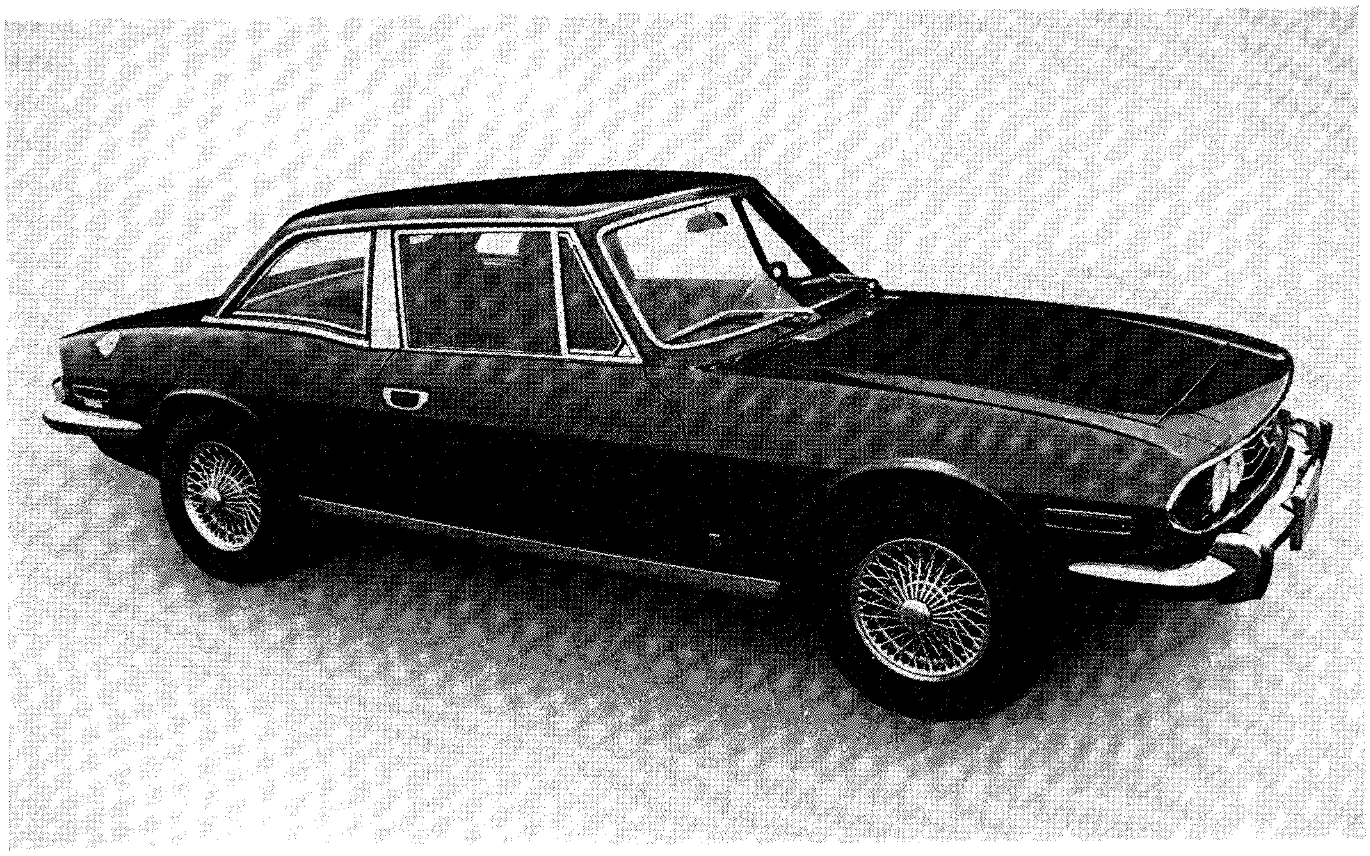

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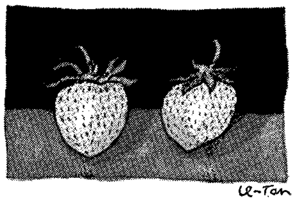
blackmailed. One leading politician of the right wing, James Buckley, who demonstrated *his* realism by getting elected to the Senate, recently went further than most conservatives have ever dared to publicly by suggesting that the civil-rights upheavals that shook the nation in the nineteen-sixties not only were criminal but created part of the crime problem that exists today. In a speech last fall in Rochester, he said, “Somewhere along the way in the last few years, the idea somehow got itself accepted that one must obey only those laws with which he agrees, and that one who disobeys a law, so long as he is righteous enough, is entitled to relative impunity. That sounded pious, safe, and harmless enough in the early sixties—at least in the Northeast—so long as the laws in question were court orders in Birmingham, Alabama.” The result, he said, was that outbursts like the one at Attica had less to do with the state of our prisons than with “the state of our attitude toward the law” that had grown out of the earlier violations of it. Actually, of course, Dr. King and his followers did not behave at all like criminals: they set out to prove that certain local laws and the court orders supporting them violated the Constitution and were unlawful, and they were ready to go to jail, as they often did, for breaking these laws and defying these orders. But Senator Buckley’s casual distortion of recent history is less revealing than his underlying theme: the kind of equality that black men have is their sameness—Dr. King equals the black rapist or the black murderer in prison who revolts against the intolerable circumstances of *his* life.



Acceptance of this theme reduces the plea for social reform to a craven cry of surrender. And there are many signs that acceptance is fairly widespread, for the Nixon Administration met little real resistance as it slowed down desegregation and refused to use existing law to break up all-white suburbs, or as it downgraded the anti-poverty program, VISTA, summer-job programs for the young, and, until Congress put its foot down at the last moment, even the school-lunch program. Recently, the President vetoed an act of Congress providing two billion dollars’ worth of day-care centers for children whose mothers, mainly welfare recipients, need such facilities in order to hold jobs. As hateful as welfare is to conservatives, it apparently is preferable to a sizable outlay of tax money that might create some measure of self-sufficiency for those who are now totally dependent on public charity. Not long after this veto, President Nixon announced plans to construct a space shuttle; the cost is estimated at between ten and fourteen billion dollars. Later, Wernher Von Braun said that the project will bring closer the day when a child will be born on the moon. Presumably, it will not be a black child. In any event, the anti-crime coalition made up of a President and a generally compliant Congress will undoubtedly achieve a great many of the restrictive economic and repressive racial goals that were pursued for so long by the old conservative coalition of Southern Democrats and Northern Republicans in Congress. The “war on crime” should keep Negroes in their place and save a lot of money at the same time.

THOSE who are most deeply committed to the status quo are incapable of blaming society itself for its ills, because a conclusion of that sort would amount to an admission that society should be changed. Such people can ignore what is wrong and hope it will somehow be righted or simply go away; or, if the threat is large and lasting, they can select a few scapegoats and link them together with a conspiracy theory. That is the most common way out, and it was the way chosen by the far right in exploiting the crime issue. Criminals had been encouraged to do their worst, this theory went, by fuzzy-minded liberals (mostly on the Supreme Court), do-gooders in high places (Lyndon Johnson, for one), and, of course, Communists (all over the place). Endless reiteration of the claim—at first in extremist publications, then gradually by policemen and prosecutors, who hoped to justify their failure to control crime, and finally by millions of citizens who could not understand how their sweet society had gone sour—had an effect beyond all expectation. The advertising campaign was immense, and the people bought the product. Few of them took the trouble to ask themselves why men in the highest places in government had set out to unleash society’s malefactors, and the sheer volume of attacks, most of which were aimed at the Supreme Court, finally convinced a majority of the public that they must have substance. In the course of the 1968 Presidential campaign, Mr. Nixon led the assault on the Court, and by midsummer of that year the Gallup Poll or-

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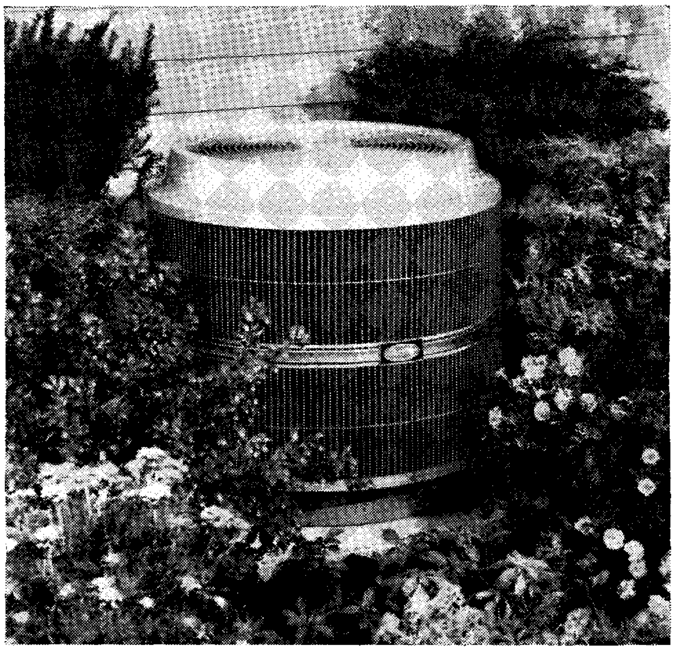

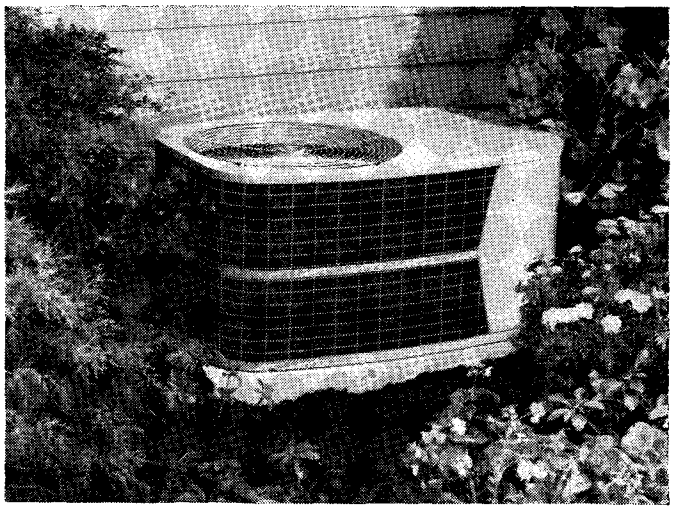

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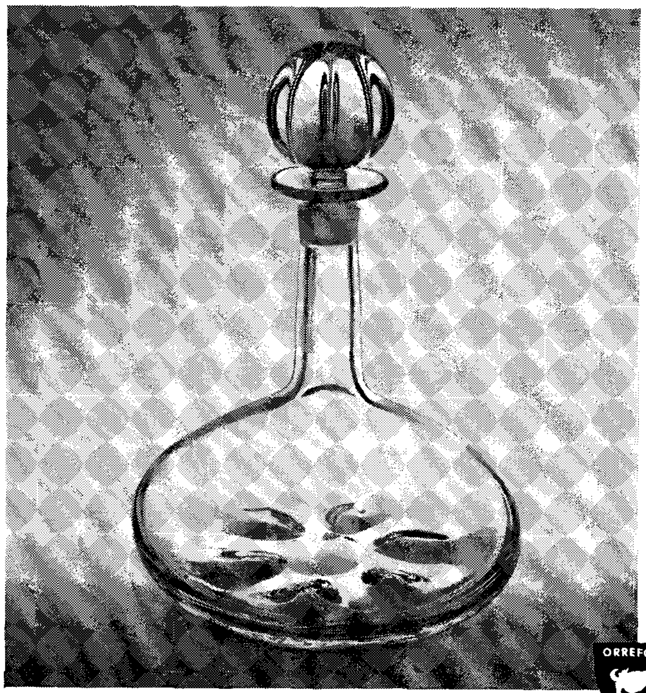

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ganization reported that "unfavorable feelings toward the Court outweigh favorable sentiment by a 3-to-2 ratio." That was the first time a negative response to the Court had been recorded. Then, shortly before the election, Louis Harris's poll revealed that this response was increasing rapidly; now the ratio stood at three to one against the Court, with nearly seventy per cent of the public convinced that "violation of law and order has been encouraged by the courts."

Mr. Nixon's attacks on the Court undoubtedly helped him win the Presidency. They also dangerously shook the nation's delicately balanced tripartite system, for the Court is far more vulnerable in practice than it is imagined to be in theory. At the height of the barrage, Chief Justice Earl Warren, in a speech before the Judicial Conference, reminded his audience of representatives from all the federal courts that "the greatest adhesive power we have is the profound belief of the American people in our Constitutional system, the dedication of our public servants to obey its injunctions, and the independence of our judiciary." Then he added, "If one of our three coördinate branches of government is discredited, the entire structure of government is weakened. None of them can strengthen the democratic process by climbing over the weakened body of another. In the nature of things, the judiciary is the most susceptible to attack, because it cannot enter the political arena and trade blow for blow with those who would discredit its work. The others can and do." In other words, if demagogues ever persuade the people that the Constitution endangers rather than protects them, and in response to public demand for a change Congress alters that document or the executive branch refuses to enforce it, our system of government will cease to exist.

Being the most vulnerable branch, the Supreme Court has historically been very sensitive to its inherent weakness, and has rarely gone far out in front of or lagged far behind the popular will or whim. Possibly through a desire to preserve itself as an institution, the Court has meekly stood by whenever the government has indulged itself or the public in convulsive fits of repression. In 1953, toward the end of one of those periods—McCarthyism—Professor John P. Frank, of the Yale Law School, spoke at a symposium on the Supreme Court held at New York University. "The most striking fact in the relation of the history of repressions to the history of judicial review in particular or to the Supreme Court in general is that no direct action by the Court has ever had any significant bearing in either *stopping* or *slowing* a repression," he said. Going on to list some of these—the Alien and Sedition Acts, anti-Mason scares, Know-Nothing threats, fear of anarchism, alarm over espionage and Bolshevism, and McCarthyism—he pointed out that the Court had done nothing about any of them. "The dominant lesson of our history in the relation of the judiciary to repressions is that courts love liberty most when it is under pressure least," he said, and added, "The great inescapable fact is that in a century and a half no substantial restriction on liberty has yet been invalidated."

The Warren Court had only recently been formed when Professor Frank spoke, and it wasn't until the spring of 1954 that it delivered its unanimous opinion ordering the desegregation of public schools. That decision and subsequent rulings on criminal-law procedures—the Gideon, Mapp, Wade, Mallory, Escobedo, and Miranda cases in particular—could be said to have certainly invalidated substantial restrictions on liberty. Still, those restrictions were the product of age-old racial and class suppression rather than the convulsive pressures Frank referred to. Even so, over the years the Warren Court's decisions in these areas were sufficiently far out of the mainstream to set the Court up as a target—an enemy of society, so to speak—for the right wing. Stirred up by cries of treason and demands for the impeachment of the Chief Justice, the right wing marched off to join its greatest crusade since it followed Barry Goldwater over a cliff. Although the move to impeach the Chief Justice was futilely absurd, it served to keep the band together while recruits were enlisted. And by the time an army of irate citizens had joined up, politicians who occupied less extreme positions than those held by the crackpot wing must have wondered what might be done with such an immense force and its restlessness over race and crime. (It has been said that during the 1968 Presidential race one of Mr. Nixon's fears was that President Johnson would choose a well-known judicial conservative of impeccable standing to succeed Warren. From the right wing's point of view, the choice of Abe Fortas was ideal, for now anti-Semitism could be added to what was basically a racist crusade anyway.) As millions of people became disenchanted with the Supreme Court, its members were almost certain, if Professor Frank was

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correct, to behave in a more subdued fashion. "Experience shows that there is not enough power in any five or nine appointive officials long to resist the overwhelming demands of democracy," he noted. "When public opinion reaches the proportions of a tidal wave, no merely intellectual appeal can stop it."

"In Dubious Battle," by John Steinbeck, describes how anyone who arouses a mob can never be sure that it won't turn on him in the end. Similarly, any politician who attempts to create and manipulate public opinion may find himself its victim rather than its master. That possibility confronted Mr. Nixon when he took office, for his use of crime as the basic issue of his Presidential campaign meant that he had to do something about the problem, but at the same time the policies he was committed to made it impossible for him to do anything that would work. A more scrupulous and inflexible man might have been confounded by the dilemma. As events of the past three years have demonstrated, however, President Nixon has managed to transform the dilemma into an advantage that finally may be of inestimable value to the right wing's most cherished goal—destruction of liberalism as an effective force in American politics. That is a tall order, to be sure, but there are indications that it may be on the way to being filled. If it ever is, much of the credit, or blame, will belong to the conservatives' adroit use of the crime issue to silence and then destroy their opponents. In retrospect, it appears clear that the Supreme Court was merely the first target and that the ultimate objective was, and is, the Bill of Rights.

Most Americans probably assume that they have always enjoyed the protection of the Bill of Rights by virtue of their citizenship. Until very recently, though, most of those protections were theirs only in federal proceedings, and the states were more or less free to interpret them as they saw fit. The process of extending criminal-law procedures in the Bill of Rights to the states began only about thirty years ago, and it wasn't until the Warren Court applied the bulk of its provisions to the states that the average citizen got the rights that he had taken for granted all along. To the most informed and perceptive members of the right, it was probably this innovation, more than the Court's supposed softness toward criminals, that was unbearable. As every domestic autocrat knows, no authoritarian control—of a city, a state, or the nation—can exist alongside a Bill of Rights that is enforced. Still, the Warren Court's efforts to make that a reality left the right wing one alternative: if the Constitution means what the Supreme Court says it means, then perhaps a subdued Court or a newly constituted Court might decide that it means less than the Warren Court claimed. While the Court itself could not initiate such a change, an Administration or Congress could—by proposing and enacting laws that legislatively redefine, limit, or abolish certain protections of civil liberties that are contained, or are presumed to be contained, in the Constitution. And if the Court were to let such changes stand, then the Constitution would become what Congress said it was.

As it has emerged, that is what the anti-crime coalition has attempted, and, to an unimagined extent, has accomplished. According to Lawrence Baskir, staff director and chief counsel of the Senate Subcommittee on Constitutional Rights, "The only part of the Bill of Rights that the Administration hasn't either rewritten or violated is the only one it should have—the 'right to bear arms.'" For the most part, these changes—some small, some monumental—have been made through a series of bills drafted largely in the Department of Justice and approved by Congress with appallingly little study and virtually no debate.

"By the time repressive legislation reaches the Supreme Court," Professor Frank observed, "we may expect that almost always some appointees of the repression period will be there, too." When President Nixon announced his last two appointments to the Court, he explained the reasons behind his choices. "As a judicial conservative, I believe that some Court decisions have gone too far in the past in weakening the peace forces as against the criminal forces in our society," he said, echoing the theme he had used again and again during the 1968 campaign. "The peace forces must not be denied the legal tools they need to protect the innocent from criminal elements." Having convinced the nation that crime was its most pressing domestic concern and that the Supreme Court was in large measure responsible for creating it, Mr. Nixon was now able to claim that the proper Supreme Court justice was a firm law-and-order man. This concealed one fact of major importance: by far the largest part of the Court's calendar is made up of non-criminal cases. In holding out the promise of public security against criminals by way of a hardfisted Supreme Court, the President ignored—

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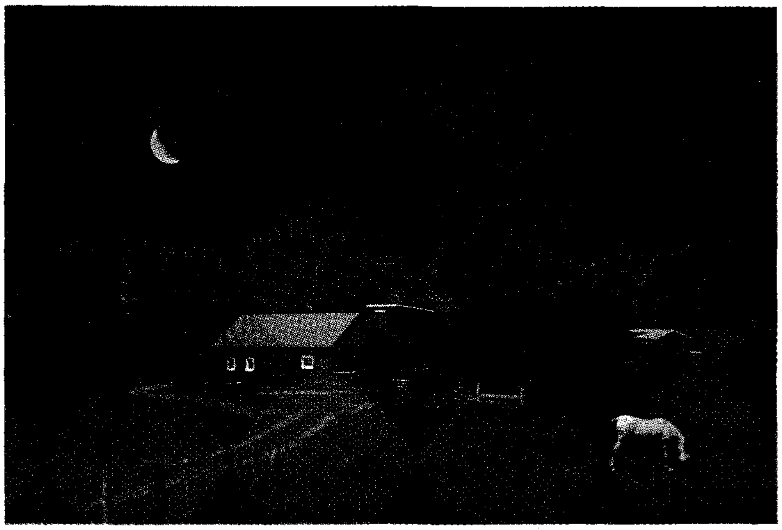

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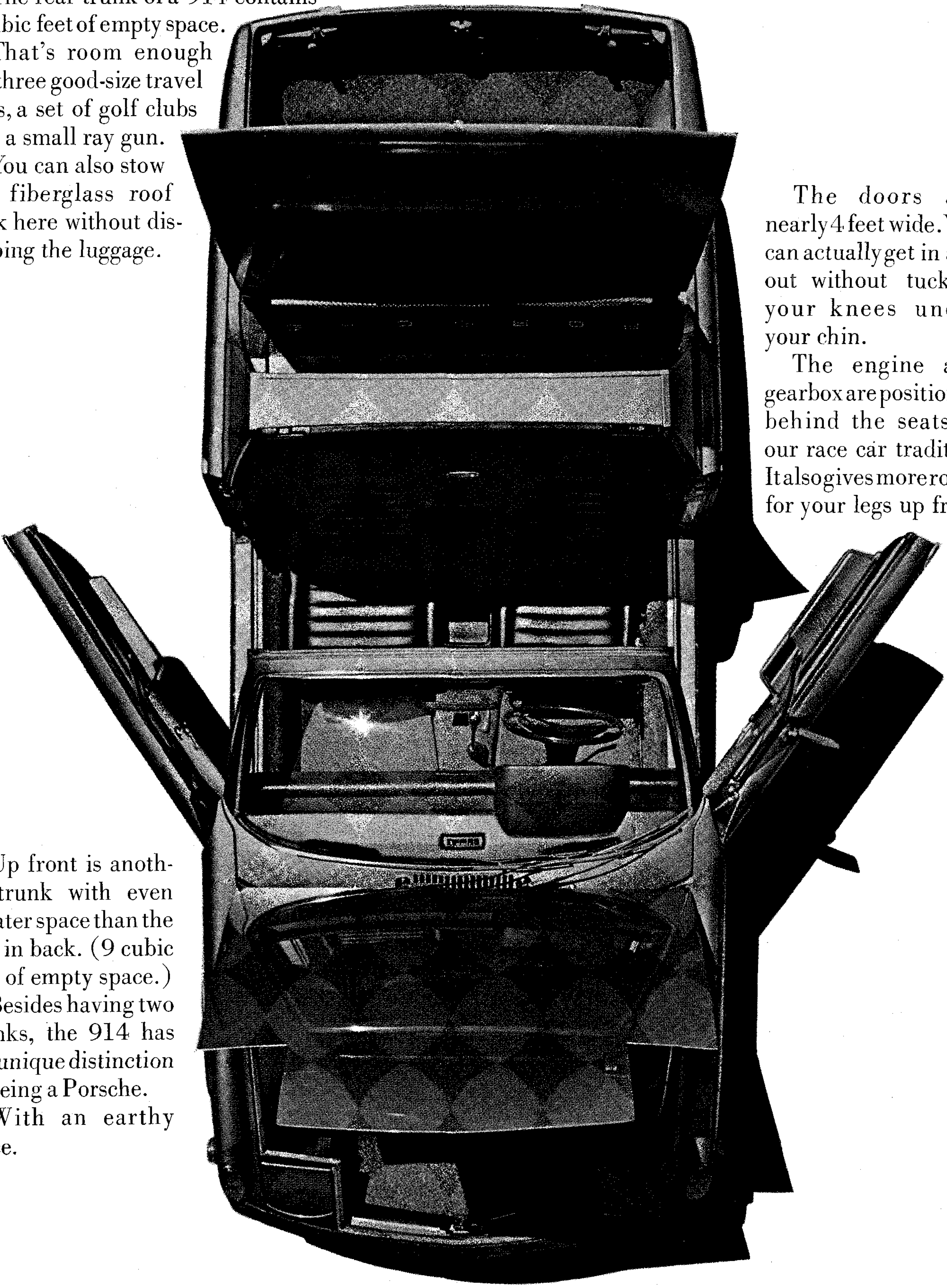

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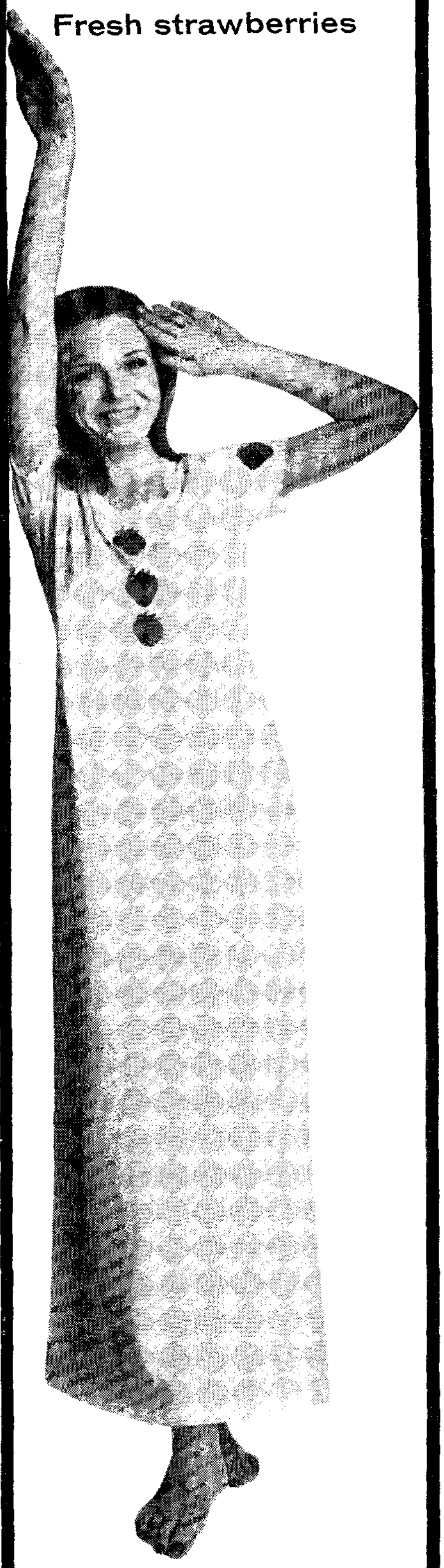
publicly, at least—the likelihood that justices who favor the conservative approach to crime will also favor the conservative approach to such matters as race, economics, labor-management relations, states' rights, and, above all the other multifold problems that reach the Court, civil liberties in general. Moreover, in the new Court judicial activism will be far likelier than judicial avoidance, and there is little doubt about the philosophical direction that activism will be aimed toward. If the Warren Court's rulings in criminal matters are revised, as a couple of key decisions already have been, so may be such opinions as the one that Chief Justice Warren considered the Court's greatest accomplishment during his stewardship—reapportionment of state legislatures to give every person an equal vote. If that is overturned, state legislatures will be securely returned to conservative control. All this, of course, gives the right wing a far better chance to remake society in its own image than it ever had when it claimed that whatever it feared or disliked was part of a Communist plot.

RADICALS of the right and radicals of the left usually view life in such a remorselessly committed and narrow fashion that they are bound to view all opposition to them as fundamentally evil and probably a conspiracy. They continually imagine plots against them that do not exist and concoct plots of their own that cannot succeed. What both sides ignore is that history is their master, not their servant, and that its course is determined more by accident than by human direction. Like any other major historical development, political use of the crime issue did not happen by deliberate design. Rather, it has come about in piecemeal fashion, through a series of apparently unrelated events that have accidentally suited a prevailing national mood. However, once enough of these events occurred and the possibility of using them and creating others like them became obvious, then a movement—a collusive hope rather than a conspiratorial plot—to push society to the right gradually emerged. Again in retrospect, it can be seen that the radical right's war on crime began, quite inauspiciously and without a map or a plan, on January 24, 1967, when one of the leading right-wing zealots in Congress, Senator John L. McClellan, Democrat of Arkansas, who has done his best throughout his many years in public office to make sure that the helpless stay that way, introduced a bill to legislatively reverse the Supreme Court's decision in Miranda v. Arizona, which had been handed down the summer before. At the outset, little attention was paid to the shot that McClellan fired, for his bill was put down as no more than a futile attempt to take revenge on the Court for its civil-rights decisions over the previous dozen years. Legal authorities dismissed the measure as being clearly un-Constitutional, since its effect was to say that Congress, not the Supreme Court, was the final arbiter of what the Constitution means—an issue that everyone assumed had been settled in 1803 by the case of Marbury v. Madison, which left the final interpretation of Constitutional issues up to the Court. Today, McClellan's proposal may look like part of a plot, because in many respects it was typical of the later moves to undermine the Bill of Rights that the right wing was to make intentionally. To begin with, the bill seemed to abrogate the Fifth Amendment's privilege against involuntary self-incrimination, which the Miranda decision had been designed to secure for the lowliest suspect; further, it was clearly intended to diminish the authority of a liberal Court, or, if the Court overturned it, to whip up more public wrath to subdue that institution; still further, it was racist; and, finally, its effect on the crime rate was almost certain to be negligible. In a five-to-four decision, the Court had stated in the case of Ernesto Miranda that suspects in criminal matters must be told that they have the right to remain silent when questioned; that they have the right to have a lawyer present, of their own choice if they can afford it and court-appointed if they can't; and that whatever they say may be used against them in court. Of course, professional criminals, ranging from the pickpocket to the hired killer, and other citizens who are reasonably well informed already know that they have such rights. The only people who don't know it—the very poor and the uneducated, most of whom are black—have little reason to believe that they have any rights at all. In short, McClellan's move was bound not only to hurt the Court, which had tried to help the defenseless, but to hurt black people as well.

Opposition to the measure on the part of the legal community was virtually unanimous. "The effort to legislatively overrule Miranda is unfortunate and illegal," Joseph O'Meara,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dean of the Notre Dame Law School, informed the Senate. "Unfortunate because Miranda, when all is said and done, does no more than extend to the poor and stupid what the wealthy and sophisticated have had all along. Illegal because it attempts to amend the Constitution by statute, which is a legislative version of what Senator McClellan accuses the Court of [doing judicially]." The Bar Association of the City of New York, the American Bar Association, and the Judicial Conference also announced their opposition to the proposal, and urged Congress to defeat it. Early in 1968, while the measure was still in committee, the Associated Press polled members of Congress on what their constituents were most concerned about, and announced, "Overwhelmingly, the members reported that anger over riots and crime overshadowed all other domestic issues and, in many cases, even the war in Vietnam." Five months later, both houses of Congress approved McClellan's proposal by wide margins. Many members who publicly supported it were believed to have privately opposed it but to have been unwilling to appear soft on crime in an election year that was rife with charges that liberals had created the crime problem. One liberal senator who reluctantly voted for the bill said privately at the time, "I assume that the members of the Court, who don't have to worry about being reëlected, will knock down the law as soon as it comes up for a test."

Of course, neither he nor anyone else in Congress could have foreseen that before the new law could be tested the narrow liberal majority on the Court would be replaced by a conservative majority. Without that accident of history, the right wing's attempt to subvert the Bill of Rights in the name of fighting crime might have failed—in this one case, at least. Of course, even if a fairly liberal Court existed now, the repressive mood of the people might still overwhelm it. Professor Frank (who, by another accident of history, left academic life for private practice in Arizona, and later served as counsel to Ernesto Miranda) has made the point that although the Court has occasionally stood up to Presidents and often has stood up to state governments, it has been extremely hesitant about challenging Congress. The Court gives "an appearance of a judicial veto in the field of liberty when in fact there is almost none," Frank said, and he continued, "The average congressman would be surprised to know how little actual restraint the Court

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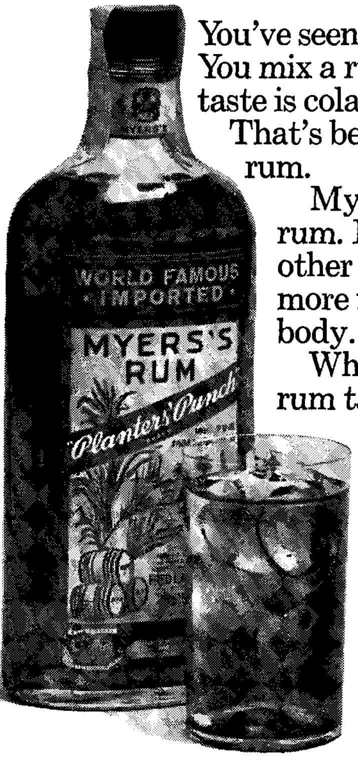

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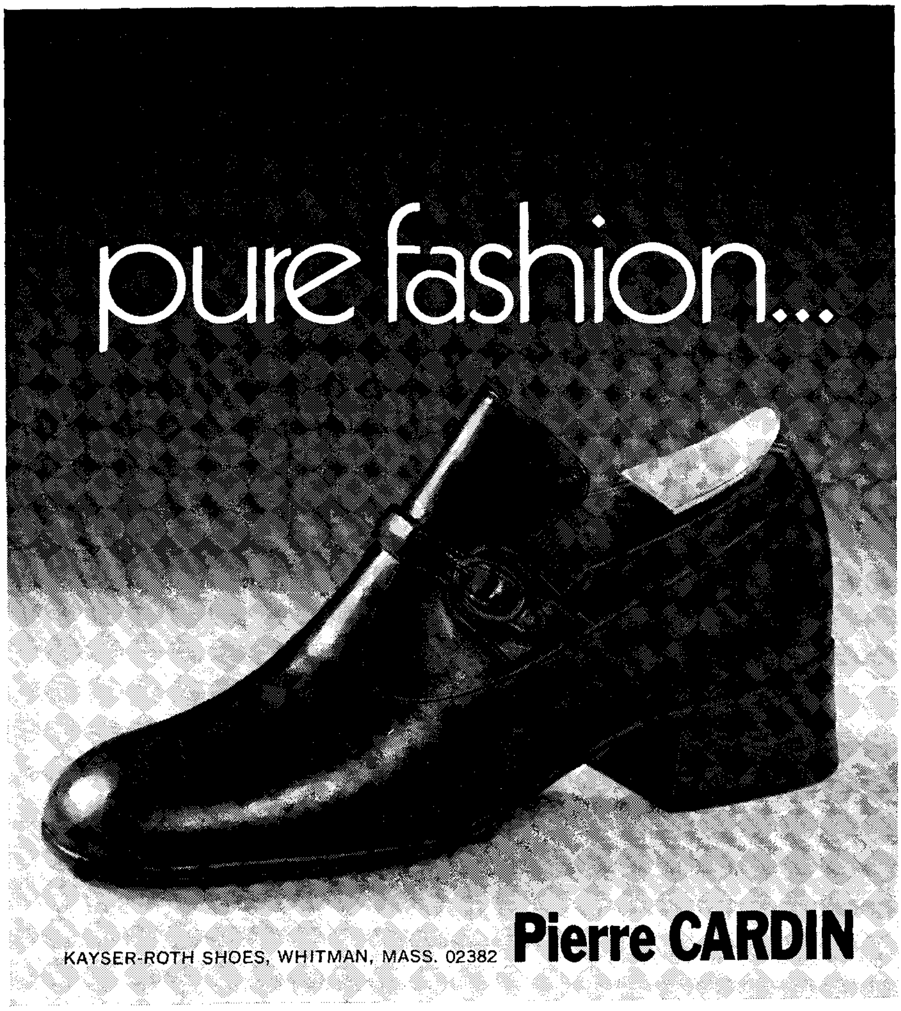

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puts upon him. The repeated episodes of buck-passing exemplify Congress's refusal to trouble itself about legal issues in a comfortable, if mistaken, assurance that the judiciary will correct the worst errors."

Senator McClellan's attack on the Miranda decision was the first of several attacks, most of them equally successful, that the right wing was to mount against the Bill of Rights in the next few years. His stroke was bolder than many of the others because it not only struck at the protection that the right most detests—the Fifth Amendment's stricture against involuntary self-incrimination—but also denied the Supreme Court its right to decide what the law means. In any case, McClellan's promise that enactment of his bill would sharply reduce street crimes seemed unlikely to be fulfilled, for almost all of the studies have demonstrated that the Miranda decision did not have much effect on those crimes in the first place; as Katzenbach told a congressional committee, it was "unutterable nonsense" to suppose that Court rulings on criminal law were related in any way to the rise in crime. But, politically speaking, the right wing could at least claim that a start had been made and that, unlike their do-good opponents, they were going to be tough with criminals.

That toughness was displayed again, by way of a measure, also introduced by McClellan, to allow municipal, state, and federal law-enforcement officials, with court approval, to tap and bug anyone who had committed, seemed to be in the act of committing, or was believed to be about to commit a crime punishable by a year or more in prison. The question of the Constitutionality was less clear-cut in this matter than it was in the attack on the Miranda decision, because the Supreme Court had never squarely faced the issue of the right of privacy, and had applied the Fourth Amendment's prohibition of "unreasonable searches and seizures" to official eavesdropping in specific rather than general ways. Supporters of the bill—mainly policemen, prosecutors, and criminal-court judges—based their defense on necessity. They argued that electronic surveillance is the best, and perhaps the only, way to control crime, especially organized crime. Opponents based their opposition on a variety of arguments: electronic surveillance is inefficient (a tap or bug requires the daily attention of several people, who might otherwise occupy themselves with less questionable and more productive investiga-

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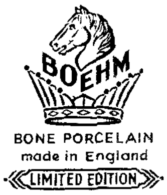
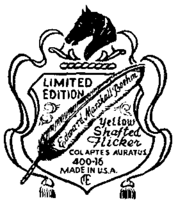
tions); it is ineffectual (professional criminals avoid using telephones or discussing their plans where they can be overheard, and although police officers have been covertly tapping and bugging members of one criminal syndicate or another for years, organized crime is flourishing more than ever); it is probably un-Constitutional (most laws implementing the Fourth Amendment require reasonable limits on what is covered by a search warrant, and a tap or bug cannot be limited, since it records everything that anyone, however innocently involved, might say); it opens the way to wholesale political and personal blackmail and intimidation (one corrupt district attorney or police chief and one corrupt magistrate or judge could snoop on anyone); the bill's permission for policemen or prosecutors to tap or bug anyone without court permission for up to forty-eight hours in cases of emergency involving organized crime could be flagrantly abused (the emergency is defined by the police or the prosecutors); and no such broad invasion of the people's privacy should be allowed until it has been demonstrated beyond dispute that it is necessary and that it will work (no evidence was ever submitted to sustain either claim). In 1968, at the same time that Congress approved the anti-Miranda measure, it approved the tap-and-bug measure—for much the same reasons. This time, some of the votes were provided by Mr. Nixon, who paused long enough from his campaigning for the Presidency to express wholehearted support for the measure and to instruct his followers in Congress to vote for it.

Riots engulfed black slums in more than a hundred cities after the assassination of Dr. King in the spring of 1968, and shortly afterward Congress, in a state of alarm, passed the Civil Rights Act of 1968, which was designed to break down black slums by opening up suburbs to integrated housing. Conservatives cried that the nation was being blackmailed, and Senator Strom Thurmond, the extreme-right Republican from South Carolina, threatened to filibuster unless the bill also contained an amendment designed to prevent black militants from crossing state lines to foment riots. Hoping to avoid any further delay while the slums were still smoldering, civil-rights leaders in the Senate accepted the package, including Thurmond's rider—once again in confidence that the Supreme Court would throw it out. The Rap Brown law, as it was known at the time, defined a riot as a public disturbance involving "an act or acts of violence" by anyone in "assemblages of three or more persons," and made anyone who crossed a state line to participate in an assemblage that turned violent subject to five years in federal prison and a fine of ten thousand dollars. Under this law, if a man travelled from any state to, say, Washington, D.C., to participate in an anti-war demonstration and then was attacked by two or more policemen or *agents provocateurs*, he could be imprisoned and fined merely because he had made himself available for the beating. The effect of the law, of course, would be to discourage any large-scale demonstrations—in short, to abolish the rights of free speech and assembly for those whom the government dislikes.

Attorney General Ramsey Clark refused to use the reversal of Miranda, the wiretapping-and-bugging act, or the anti-riot law, on the ground that they were un-Constitutional and useless. To make certain that Clark's successor rejected this policy, Senator McClellan demanded, and received, assurances from the incoming Attorney General, John N. Mitchell, during his confirmation hearings before the Senate, that the intent of Congress had been amply demonstrated by its overwhelming approval of the new laws and would be heeded by the Nixon Administration. Actually, of course, the intent of most members of Congress had been to escape retribution at the polls for failing to control crime. The members of Congress who had ignored the dictates of Constitution and conscience in voting for the bills provided the new President with the kind of support he needed to use these laws as he pleased. One of his earliest official acts, carried out by the Justice Department, was to use the one that Congress had directed against black agitators like Rap Brown. The targets were the white organizers of the protests at the Democratic National Convention in Chicago the previous summer. Since the best evidence available—compiled by Justice Department observers who were on hand at the time and by a committee of the National Commission on the Causes and Prevention of Violence—showed that the police had been the chief lawbreakers, the prosecution of their victims was clearly a political maneuver that encouraged policemen to crack skulls at will the next time and discouraged just about any political dissenters who might be thinking of expressing their views out loud. This





Mrs.
EDWARD MARSHALL BOEHM'S
report on
the Boehm studios, spring of 1972:

"1971 proved to be 'the year of the Swan' for us. In a prior report on our activities I mentioned that the life-size 'Mute Swans' sculpture, the new 'Bird of Peace,' was completed early in the year. Our activities for the rest of 1971 and continuing into 1972 primarily have revolved around it.

"After the sculpture's initial unveiling at the Congressional Club in Washington, D.C., March of last year, it had three U.S. showings. It then began its trans-atlantic exhibition tour with showings in the American Embassies in London, Brussels, Bonn and Paris. I attended the openings at all of these. Each exhibition was one or two weeks long. I was very, very proud to represent my country and to be present to share with friends across the sea the results of fine American artistry and craftsmanship in ceramics.

"Plans for sculpturing a new bird of peace in porcelain started back in mid 1969. After considerable correspondence with ornithologists in various parts of the world — friends of my late husband — it was apparent that the consensus was in favor of the Mute Swan as a peace symbol. It is a stately, cosmopolitan bird and is universally recognized for its beauty and tranquility. It also is a well-known symbol in mythologies of many of the world's peoples, primarily through the legends of the 'Swan Maiden.'

"Impetus for the project basically stemmed from the desire of our dedicated group of artists and craftsmen to express, through beauty and artistry, their collective hopes for peace. A skilled team of eleven devoted two years to the Swans, the most monumental sculpture ever done in hard porcelain. Wing span of the male is seven and one-half feet. Five hundred and nine mold sections were required to cast the one hundred and thirty-six parts, consuming eight tons of plaster. There are in excess of sixty thousand individually-carved feather barbs in the detail.

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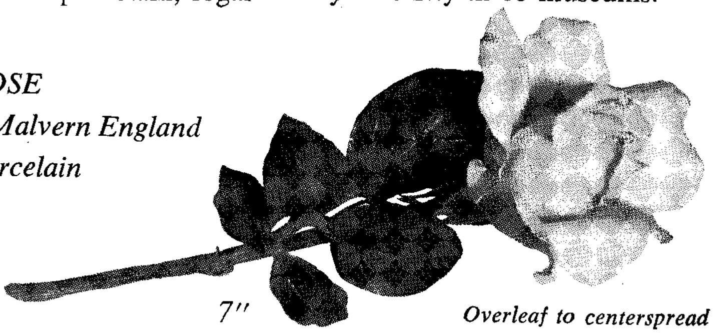
"Maker's marks of both studios are shown above. Boehm porcelains are represented internationally in thirty-three museums."



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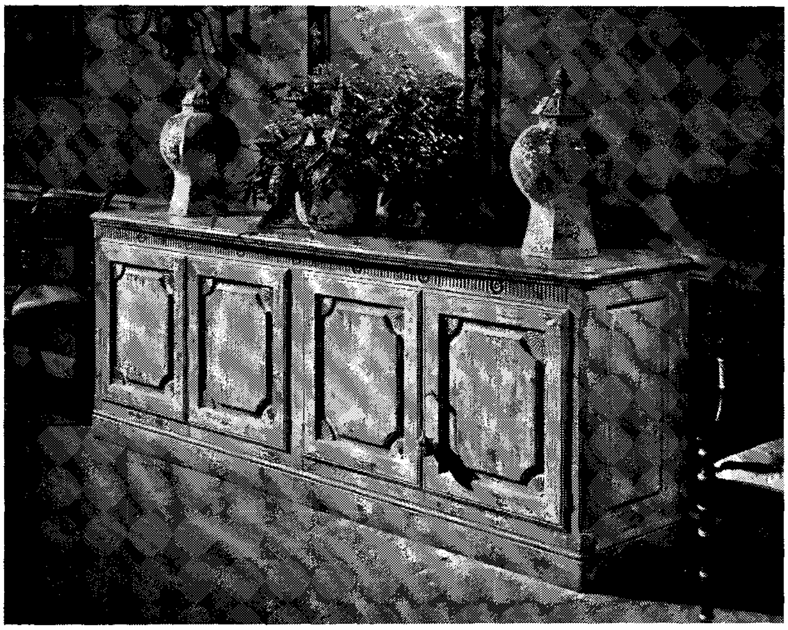
7″

Overleaf to centerspread



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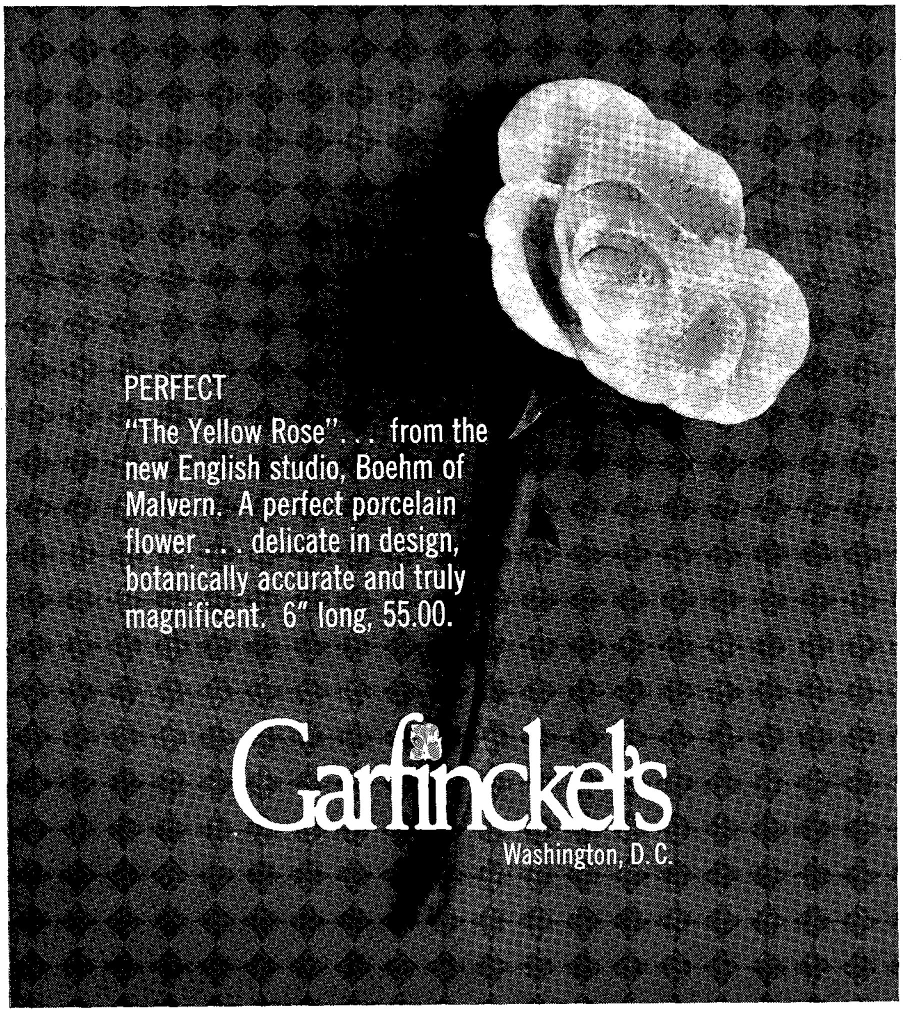

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move toward consensus by intimidation could scarcely have failed, for prosecution of the Chicago Seven was bound to be as popular as they were unpopular. Millions of Americans had watched on television as Mayor Daley's police beat, Maced, and gassed helpless people *after* they were arrested, and then a national poll showed that sixty-seven per cent of the public approved the way the police had behaved.

Perhaps the most alarming act on the part of the Nixon Administration during its first year in office was the claim it made shortly before the trial of the Chicago Seven that in such cases it was not bound by federal statutes or, for that matter, by the Constitution—at least, in the ways it had usually been interpreted in the past. Some of the evidence collected by the government, the Justice Department admitted in court, had been obtained by means of wiretaps and bugs. In view of the Attorney General's support of tapping and bugging, this announcement didn't surprise anyone—until the Department also claimed that it was not bound by the provision in the McClellan surveillance law that such evidence was legally admissible only if court approval had been obtained before it was gathered. In defending the government's use of the evidence, the Justice Department submitted a brief—one of the most astonishing documents in American legal history—which declared that the President was not bound by the McClellan law or by the Fourth Amendment's stricture against "unreasonable searches and seizures," because it was his overriding duty to protect the nation against anyone who meant to "attack and subvert the government by unlawful means." Mr. Mitchell did not explain then or later how the disorganized crowd of ten thousand demonstrators who gathered in Chicago—unarmed and outnumbered better than two to one by heavily armed policemen, National Guardsmen, and federal troops—could be a serious threat to a nation of two hundred million people who wholeheartedly disapproved of them. But if ordinary citizens were to be persuaded that dissenters were criminals, their leaders had to be prosecuted as criminals. And if it was impossible or inconvenient to obtain evidence within the framework of the law, then evidence collected outside the law had to be used, and justified by placing the President above the law.

The McClellan law requires that a warrant be issued by a judge before the surveillance can be carried out, that records of all taps and bugs be filed with the court having jurisdiction, and that periodic reports be filed with Congress on the extent of such surveillance nationally. The law also allows the President to bypass the court warrant in cases involving threats to the "national security," which, until Mitchell's time, had been interpreted to mean foreign threats to the nation. Under the Mitchell doctrine, the government defines what constitutes an attempt to attack or subvert the government and then monitors the words of anyone, foreigner or citizen, who fits that definition, without notifying any official body of what is being or has been done. (Although "warrantless surveillance" had been conducted by the government against domestic "subversives" long before Mitchell took office, this was the first public admission that such practices had been going on—and the first time they were defended as being legal.) As expected, Judge Julius Hoffman, who presided over the Chicago trial, upheld the Justice Department's contention. But in two subsequent cases where the Department made the same claim, federal judges rejected it as un-Constitutional, and the government has appealed those decisions to the Supreme Court. The Administration may not have expected the Court to uphold its position—at least, not as the Court was constituted. But that may not have been of crucial importance, for by the time the issue was finally adjudicated an enormous number of people could be spied on, and enough could be prosecuted, and ruined, to frighten others out of speaking or acting in a way that the government might not like. Now, with a new Court, there is a chance that the government's claim will be sustained. If it is, the effect could be broad, deep, and lasting, because the Justice Department has reportedly employed the Mitchell doctrine in numerous other cases—most notably the prosecution of Daniel Ellsberg, for passing classified documents to the press, and of the Harrisburg Seven, who are charged, among other things, with a plot to kidnap Henry Kissinger—and under its limitless power has put the leading anti-war organizations under surveillance.

According to several lawyers who have kept a watch on the Administration's legal maneuvers, from both inside and outside the government, another purpose behind the Justice Department's appeals was to persuade the Supreme Court to revise or to throw out altogether the so-called exclusionary rule, which makes illegally obtained evidence inadmissible in a trial. Since

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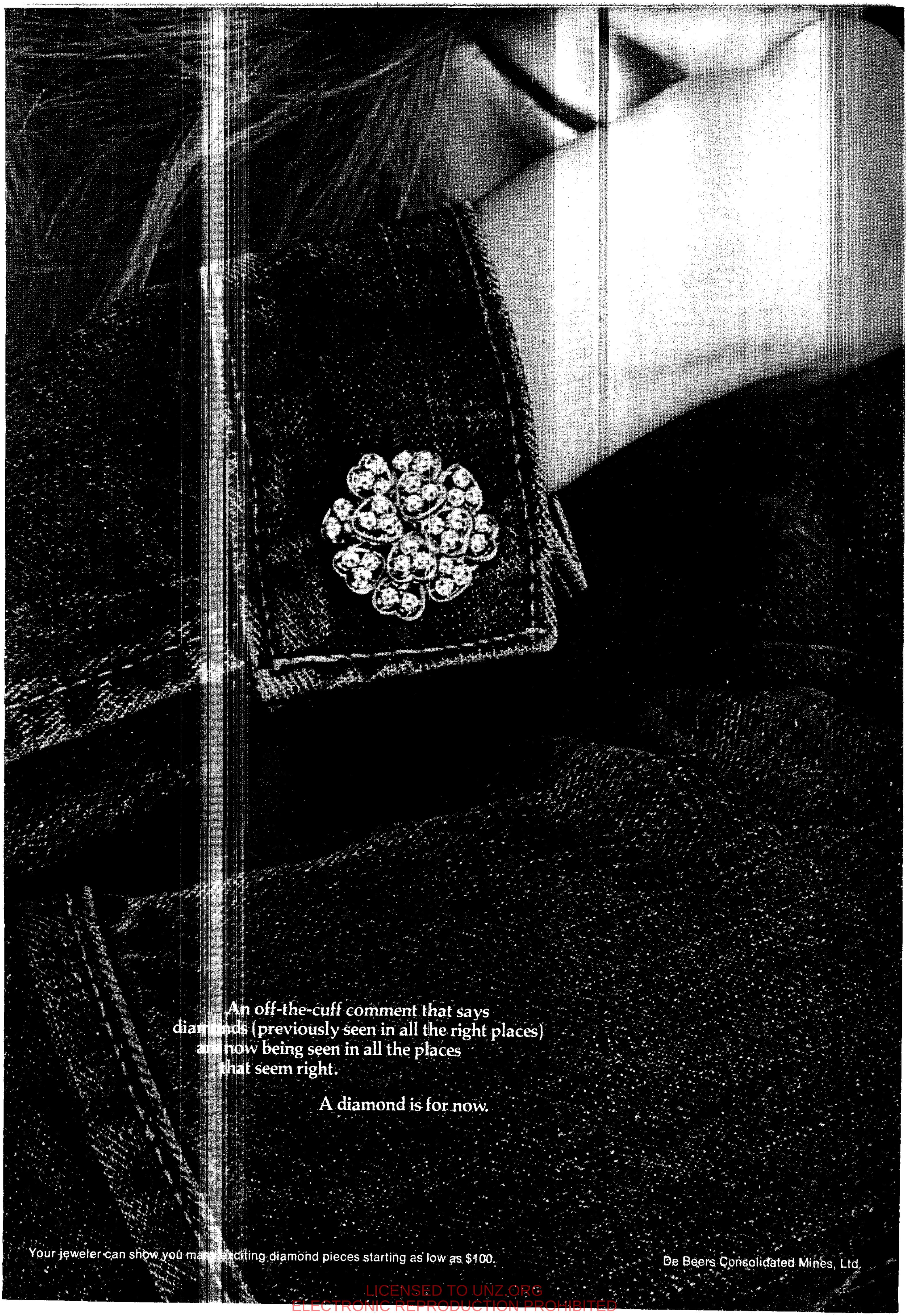
1914, the rule has applied to federal cases, but it was not until 1961, in the case of Mapp v. Ohio, that the Warren Court extended this protection to state trials. "As matters stand, the exclusionary rule is the only thing that discourages policemen from breaking the law more than they already do when they gather evidence," a lawyer who spent two years in the Justice Department under the Nixon Administration said recently. "Its effect is to say to policemen, 'Look, you might as well not get evidence illegally, because you won't be able to use it in court anyway.' Of course, a lot of evidence is still collected unlawfully and presented at the time of trial as if it had been discovered through legitimate means. But, even so, the exclusionary rule provides some measure of protection against government infringement of individual rights—enough protection, it seems, so that this particular government wants to get rid of it." That is understandable in view of the Administration's proclivity for entertaining conspiracy theories, and the Justice Department has made increasing use of conspiracy charges. The simplest way to sustain, or manufacture, a conspiracy charge is by monitoring the participants, and the safest way to do that is secretly—that is, without controls like those imposed by the exclusionary rule. Conspiracy cases have many advantages for governments that hope to silence their critics. To begin with, the word "conspiracy" itself is a dread-sounding one, for it suggests treason. And, in a legal sense, conspiracy charges are comparatively easy to support, because conspiracy laws give prosecutors the kind of broad procedural latitude that they are denied in ordinary criminal cases. In fact, people can be convicted of conspiring to commit an act even if they have never met or had any contact with each other.

In April, 1971, President Nixon publicly stated that when it came to "executive" or "warrantless" surveillance—euphemisms for the Mitchell doctrine in action—"the total number of taps is less, has been less, than fifty a year." The Attorney General and the director of the F.B.I. had earlier made similar statements. But Senator Edward M. Kennedy, using figures from the Justice Department, showed that the number of warrantless taps used was actually more than double the Administration's figure. Moreover, he pointed out, the government listened in on such taps as much as ten times longer than it did on ordinary court-approved taps. No one outside the government knows what "national security" surveillance of domestic groups or individuals has produced, except fear. But it is known that out of a hundred and forty-eight thousand conversations overheard by federal agents *with* court permission during 1970 only forty-eight convictions resulted, most of them for gambling. According to one former high official in the Justice Department, it is not so much that wiretapping is being used to prevent gambling as that gambling is being used as a pretext to support wiretapping.

Senator Sam J. Ervin, Jr., is an old-style conservative who has long been the Senate's leading authority on the Constitution and who is chairman of the Senate Subcommittee on Constitutional Rights. After having vigorously supported McClellan's original wiretapping-and-bugging bill in 1968, Ervin's change of mind on this issue has been complete, and he is now Congress's foremost opponent of government surveillance. "Such a system can result in great personal injury to the innocent in the form of social ostracism, loss of employment, and, of course, loss of liberty," he observed recently. "It also has the effect of discouraging legitimate political activity by those who fear that their views and acts will be recorded by the government and stored for some future use. This fear is not restricted to so-called 'nervous Nellies.' Knowledge that the government is engaged in surveillance of its citizens creates an atmosphere of fear, which is inimical to freedom. It stifles political discussion and leads to a cowed and subservient population which does not dare disagree with government policy or accepted wisdom. Democracy cannot survive if the people are sullen, scared, and rebellious."

NOT long after Daniel Patrick Moynihan left his White House post of Special Assistant for Urban Affairs, he wrote a letter to Mr. Nixon in which he described some of his recent experiences in private life. Among them were a large number of conversations that he had had with various businessmen, he related, and added, "More than any other thing, what seems to concern them most is the belief that the Justice Department in particular and the Administration in general is intent upon the diminishment of civil liberties in the nation, and has already to some extent succeeded." A number of other experienced and concerned citizens were convinced that such a movement was indeed taking place. They included some leading Re-



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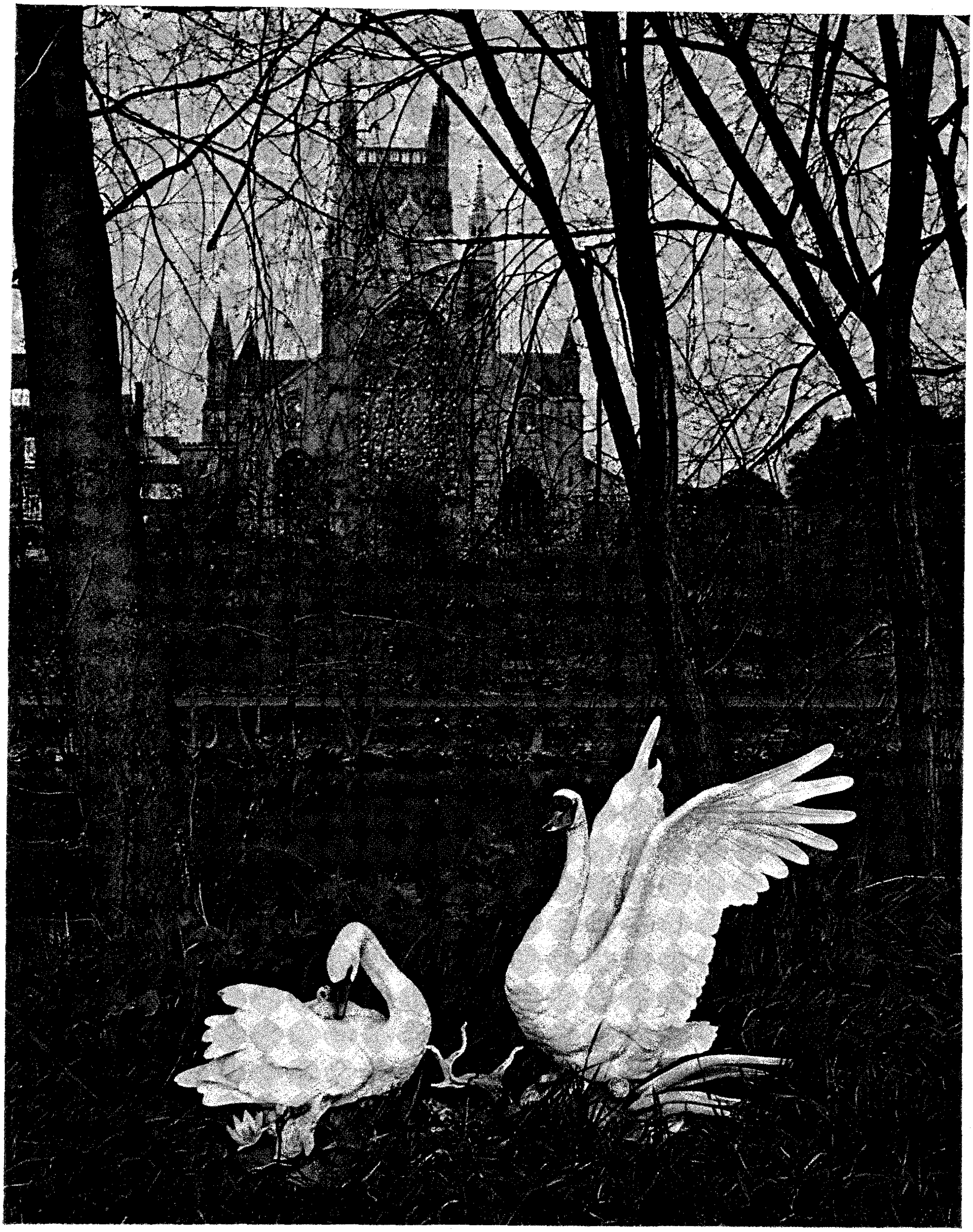

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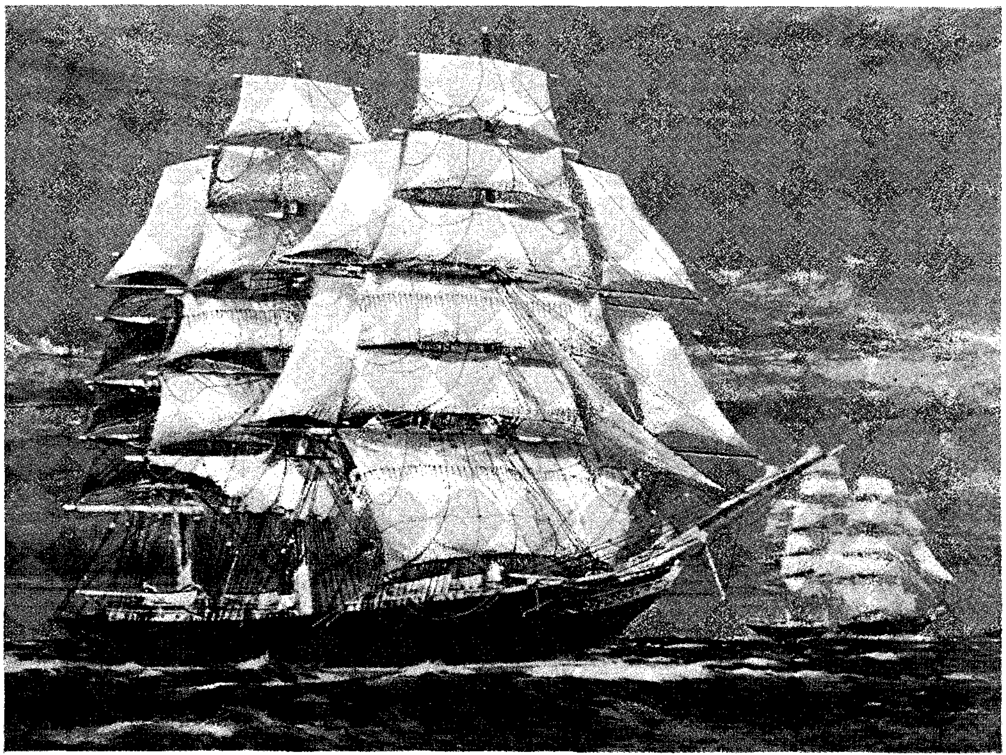
Cutty Sark vs. Thermopylae.

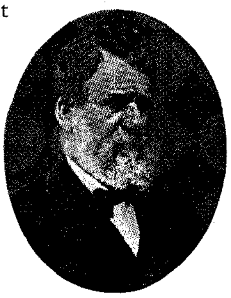
The most famous clipper race of all time


Courtesy private collection of Lt. Col. James M. Humphrey, M. C.

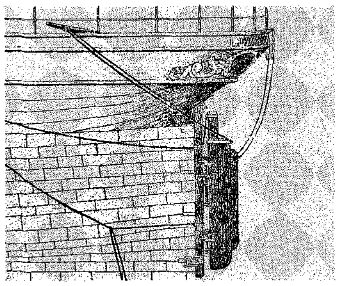
In the early 1870's, the clipper *Thermopylae* held "the blue ribband," symbol of victory in the incredible tea races that pitted great ships against each other and half the world's oceans. But then came *Cutty Sark,* built solely to beat *Thermopylae.* And in 1872, the two ships met for the first and only time.

On June 17th they cast off from Shanghai together, bound for London. Immediately they were separated by gales. *Cutty* forged far ahead. And then on August 25, a huge sea tore *Cutty's* rudder away. In 6 days of storms, the crew fashioned and fitted a jury rudder. And when it snapped, they made a second rig, this time in only 24 hours. With her speed severely cut by the weak rudder, *Cutty* limped home, docked after *Thermopylae*—yet won the race!

A special maritime board was convened which inspected the logs of both vessels and decided that, based on actual time under sail in equal conditions, *Cutty Sark* had made the faster passage. From that time on, *Cutty* was never beaten in equal competition. Small wonder that, years later, a reporter was to write of the finish of yet another clipper race, "*Cutty Sark* first...the rest, nowhere."


Capt. Moodie,
Cutty's commander
in her most famous race.

***Cutty's* jury rudder,**
seen in drydock.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THE BUCKINGHAM CORPORATION, IMPORTERS • NEW YORK, N.Y. • DISTILLED AND BOTTLED IN SCOTLAND • BLENDED 86 PROOF publicans, such as John W. Gardner, who spoke of "the frightening trend toward repression in this country;" Senator Jacob Javits, who said that "there seems to be the threat of a more insidious form of repression in our land [than McCarthyism] . . . tolerated, if not actually condoned, at the highest level of our federal government;" and former Ambassador to Italy Clare Boothe Luce, who declared, "There will be a repression of some sort in the U.S. very soon." In a report issued last summer by the Young Lawyers Section of the American Bar Association, a group that is not noted for radicalism, the Committee on Protection of Civil Liberties and Civil Rights concluded that "there is, indeed, an anti-libertarian climate in the United States which can properly be labeled 'repressive.' " The report went on to say, in part:

> This anti-dissent and anti-libertarian climate has been both promoted by and mirrored in the words and actions of our highest government officials. We have heard those officials use divisive and inflammatory rhetoric against persons who have disagreed with the Administration's policies and actions. Those who have questioned official policies have been branded as "radical liberals," "bums," "home-front snipers," and part of "an effete corps of impudent snobs," or have been otherwise personally attacked or indiscriminately classified with those who would express themselves through violent, destructive, and unlawful means. Discrediting and intimidating these dissenters into silence is the apparent objective underlying these tactics. There are several ways in which American civil liberties are adversely affected by such rhetoric. First, many people are intimidated by such verbal attacks. Second, those who are intolerant of differing ideas and views thereby become convinced that they have official sanction to suppress those views. Third, officials at all levels of government are guided by what is said in Washington.

All this raises the question: What, actually, is repression? Professor Frank defined it as "an intense spasm of social fury in which a commonly latent impulse to destroy opposition without regard to the norms of democratic behavior becomes a dominantly conspicuous element in the American scene." That kind of spasm could take place in either the public at large or the government, or both. To Jefferson, the greatest danger was that such an impulse would go unchecked when it appeared in public officials. "The natural progress of things is for liberty to yield and government to gain ground," he wrote to a friend in 1788. And in another letter, written many years later, after he had left the Presidency, he noted, "The functionaries of every government have propensities to command at will the liberty and property of their constituents. There is no safe deposit for these but with the people themselves." In the summer of 1970, Senator Ervin took the floor of the Senate to warn his colleagues against giving the Administration the powers it had asked for to combat crime, and told them, "Nothing short of tyranny can quench the insatiable search of government for power, and in its ardor to extend and multiply its authority government will extinguish the freedom of the individual unless it is restrained from so doing by fundamental law which it alone can neither repeal nor amend." In this country, of course, that fundamental law is the Constitution. Ervin's warning might well have been delivered by any old-fashioned conservative, for fear of governmental power had long been one of the deepest and most abiding instincts among conservatives. But the new conservatives don't seem to mind such power at all, now that it is theirs. Have they used it repressively? The answer is, in part, yes, although not to the degree that the Administration as a whole could be considered a repressive Administration. Yet the instruments of large-scale repression, most of them forged by the Justice Department under Attorney General Mitchell's stewardship, have been prepared; some have been used repressively by the government, and the others could be used in the same way at any time.

In an article that appeared in the *Denver Law Journal* last year, Senator Ervin wrote that while we are not living in a truly repressive society, "freedom is on the defensive." He went on:

> The balance is shifting decisively toward the acceptance of harsher laws and the cutting of Constitutional corners which impede this search for security. The Administration has not been sensitive to this changing atmosphere. Rather, it has nurtured, encouraged, and fostered it. . . . Its policy . . . has produced a mood in the country which is extremely receptive to harsh, punitive, and Draconic measures in the name of security. This is a dangerous game. It produces a situation in which fear breeds fear and in which the government is encouraged to use its powers ever more freely. Ours is not a country in which government can become a tyranny against the will of the people. But tyranny can come just as surely if the people are willing to deliver over their freedom in search for safety.

Some of the laws recently proposed do not just cut corners off the Constitution but plunge perilously close to its heart. Six months after the Nixon Administration took office, the Department of Justice (a truly repressive branch of the government, in Ervin's estimation) sent Congress the first of

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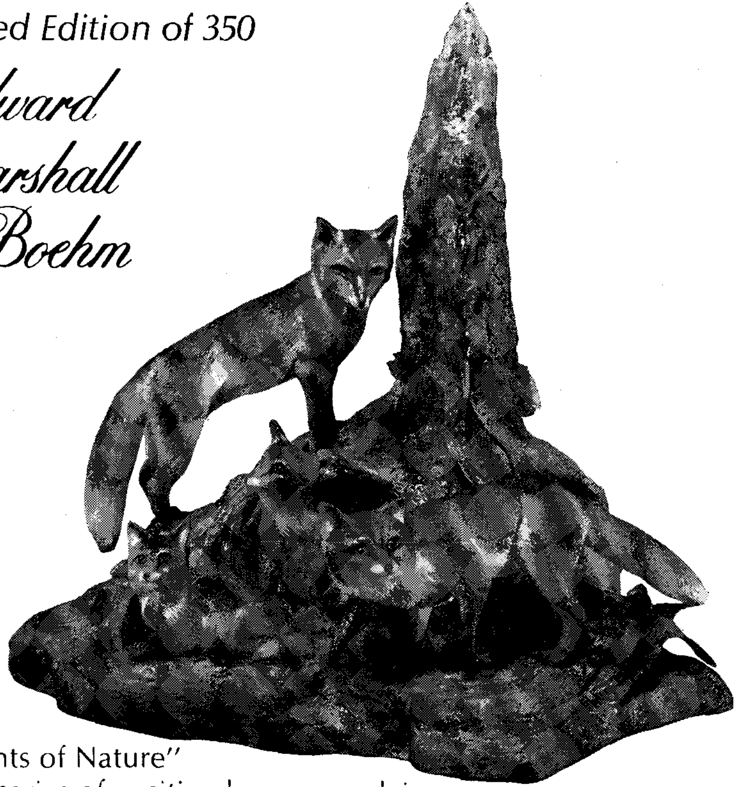

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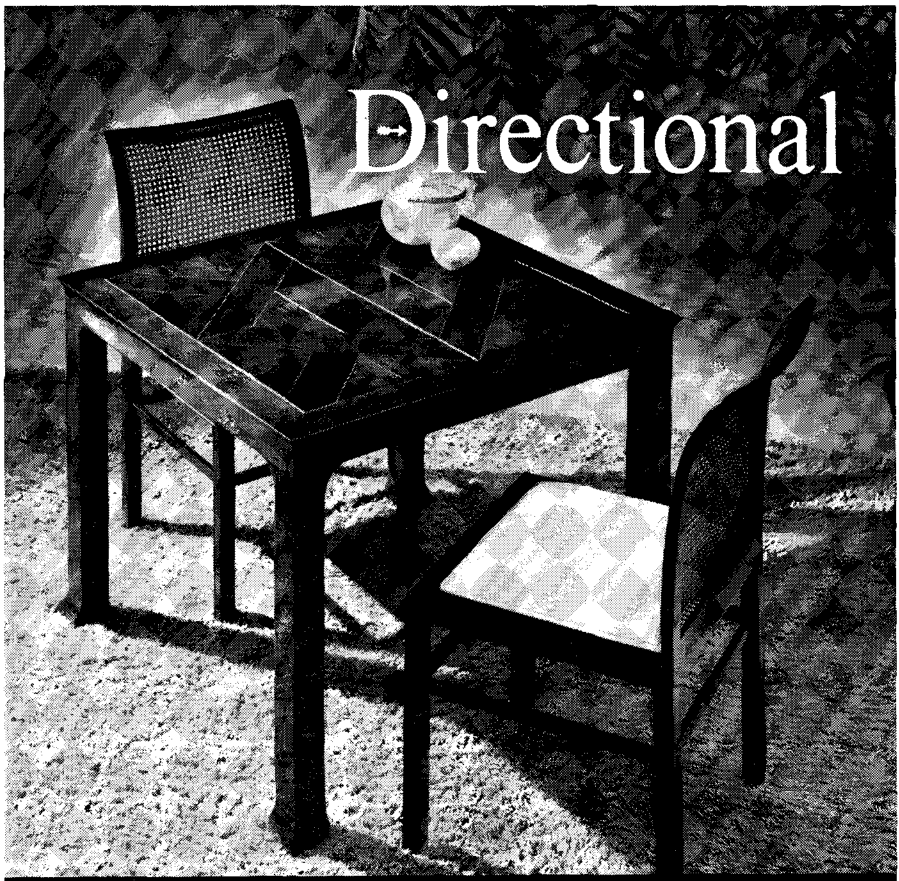

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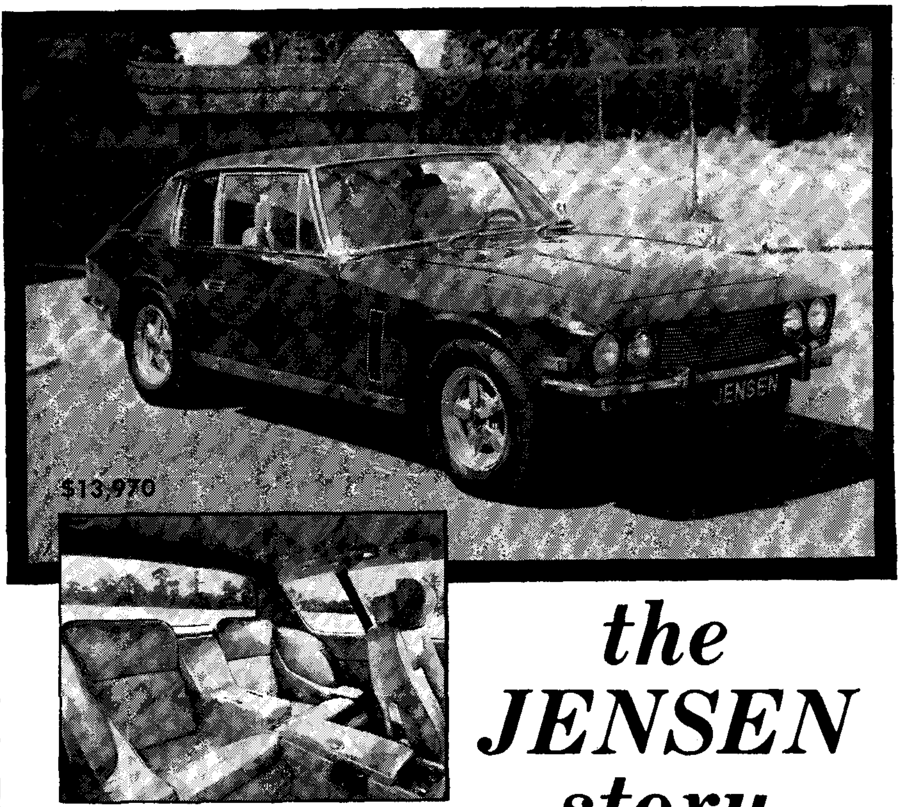
its "anti-crime" bills—the District of Columbia Court Reform and Criminal Procedure Act, which is commonly known as the D.C. Crime Bill. Associate Deputy Attorney General Donald E. Santarelli, who had written Mr. Nixon's major speech on crime during the 1968 campaign, drafted the bill, and he personally assured Senator Ervin that it merely reformed the court system in the capital—something that everyone had long urged—and that it contained nothing the Senator would find objectionable. With that, Ervin agreed to Santarelli's request that he co-sponsor the measure, but when it reached the Senate, with Ervin's name prominently displayed at the top, he discovered that it did more than reform the courts. It added some "extremely controversial" provisions to existing law, he said when he took the Senate floor to announce his opposition to the bill he had officially co-sponsored. Ordinarily, few senators are on the floor—during even the most crucial debates—and it is unlikely that his disavowal reached many of his colleagues; those who didn't hear it but who saw his name on the bill probably concluded that if the Senate's foremost expert on the Constitution didn't object to the proposal they could safely support it. Since Ervin had supported McClellan's move to reverse the Miranda decision, and had even introduced a measure to remove Supreme Court jurisdiction over writs of habeas corpus in state cases, perhaps Santarelli felt that he would go along now with the Administration. No matter what the Senator's views may have been, however, the Administration's misrepresentation of the bill to a very influential member of the Senate was extraordinary.

The Senate drafted and approved a fairly moderate measure revising the court system and the criminal laws in the District of Columbia. But, under prompting by the Administration, the House District of Columbia Committee, an extremely conservative body dominated by Southern members, voted out an entirely different bill, which had not been the subject of hearings or debate in either house. This measure, drafted largely by Santarelli, was four hundred and thirty-nine pages long, and less than a quarter of it dealt with court reform. The rest, Ervin angrily told the Senate when the proposal arrived there, was "literally a garbage pail of some of the most repressive, nearsighted, intolerant, unfair, and vindictive legislation that the Senate has ever been presented." However, when a conference committee finally met to consider the Senate and House bills, it approved the Administration's measure—largely because the Senate floor leader of the Administration's proposal, Joseph Tydings, a Democrat and a sometime liberal, fought for that version. Afterward, Ervin took the floor of the Senate and pleaded with his colleagues to reject the conference report, and the bill that came with it, but although they had never had a chance to vote on its provisions separately, they approved the conference bill on July 23, 1970, by a vote of fifty-four to thirty-three. " 'Law and order' had become such a powerful political slogan that very little could be done to any proposal championed in its name," Ervin said later. "Almost by the day, the ranks of those who would dare cite the Constitution to defeat or amend anti-crime bills had evaporated. It became almost impossible to oppose a proposition which was labelled 'anti-crime.' "

One proposition in the new law established a system of preventive detention in the District of Columbia. This provision calls for up to sixty days of imprisonment, prior to trial, of any defendant who, in the opinion of the judge presiding over his arraignment, seems likely to have committed the crime he is charged with and likely to commit other crimes if released on bail until he is tried; the crimes that the system applies to are violent crimes or certain "dangerous" crimes such as narcotics peddling. In the view of many Constitutional scholars, this innovation violates the Fifth, Sixth, and Eighth Amendments to the Constitution. Moreover, there is little reason to believe that it will work. During a set of hearings that Ervin's Subcommittee on Constitutional Rights had held on preventive detention, witnesses pointed out that judges are wholly incapable of spotting likely repeaters, even after their records and characters have been revealed during trial and the judges, furnished with that knowledge and with detailed probation-department reports, impose sentences. In any event, the Justice Department offered no evidence to support its claim that preventive detention was necessary. After Ervin repeatedly demanded that the Department prepare some kind of scientific analysis to justify such a radical innovation, the Administration finally authorized the National Bureau of Standards to make a study. The Bureau's report undercut the Administration's position, and the Administration, in effect, ignored the report. "Regrettably, the Department's approach to the study was



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emulated by the Congress when the issue came up for a vote," Ervin remarked later. "There was little effort on the part of preventive-detention advocates to join in a debate. There was not even much formal speechmaking in support of the proposal. The main argument used was that this was an 'anti-crime' proposal. That was all that was said and all that needed to be said."

In proposing and in approving preventive detention, the Administration and Congress abrogated the basic principle underlying our adversary system of criminal law—the presumption of innocence. That act was not merely radical; it was so revolutionary in nature that it could ultimately lead to what this nation has always professed to abhor—the inquisitorial system of criminal law—and thereby transform society itself. In view of the proposal's exceedingly doubtful Constitutionality and the Administration's persistent refusal to listen to the most compelling evidence against it, the suggestion was bound to be made that perhaps its authors had something in mind besides getting dangerous hoodlums off the streets. Laurence H. Tribe, a professor at Harvard Law School, raised this question in an article that appeared in the *Virginia Law Review* while the bill was pending before Congress. Observing that the Administration probably saw political advantage to be gained from such a no-holds-barred approach to criminals, Tribe went on:

> But Mr. Mitchell may also understand more to be at stake in the controversy than the fate of this particular law. For while the Attorney General stresses the supposed narrowness of the pending measures, the demands of the not-so-silent majority for security would make a further expansion of preventive incarceration too attractive to resist. . . . The inevitable consequence is a continuing pressure to broaden the system in order to reach ever more potential detainees. Indeed, this pressure will be generated by the same fears that made preventive detention seem attractive in the first place. What begins as an ounce of detention, therefore, may well become the first step of a profound shift in our system of criminal justice—a system that, at least until now, has operated on the premise that crime should normally be prevented by the threat of subsequent punishment rather than the imposition of prior imprisonment.

Several months after the D.C. Crime Bill was enacted, the Administration sent Congress a measure, which has not been voted on so far, to make preventive detention apply to the federal system throughout the nation. The expanded measure adds offenses that may be considered political crimes, including hijacking of airplanes, theft of government documents, or "an attempt or conspiracy to commit any of the foregoing offenses." The possibilities of broadening the new bill are obvious. It now includes anyone who sells or distributes narcotics, and it would probably seem a very small and legally unimportant step to the general public if that category was widened to include anyone who uses narcotics. Since addicts are believed to commit a large proportion of all crimes in the country's major cities, sweeping a large number of them off the streets would probably bring about a striking reduction in the kinds of crimes that the public most fears. That form of preventive detention plus the use of compulsory evidence such as blood tests and urinalysis might constitute a mass violation of the Constitutional privilege against self-incrimination. The Administration appears ready to take that risk, for under another of its proposals, which also has not been acted on as yet, police officers would be empowered, with the approval of a magistrate or a judge, to detain suspects without observing the age-old requirement that there be "probable cause" to arrest them for a crime, and to subject them to a series of "nontestimonial identification procedures"—including lineups, fingerprinting, footprinting, voiceprinting, photographing, and taking samples of hair, saliva, handwriting, urine, and blood.

The so-called "no-knock" provision contained in the D.C. Crime Bill permits law-enforcement officials and private citizens who are assisting them to enter private premises, openly or stealthily, without identifying themselves. The Administration's defense of this statute again rests entirely on necessity—that surprise is essential in order to prevent suspects from destroying evidence such as narcotics or gambling devices before they can be arrested. Black leaders angrily denounced the provision as being designed to harass them, and threatened to shoot anyone who broke into their houses or apartments or places of business unannounced; if they didn't, they argued, they would be inviting every housebreaker, holdup man, rapist, or killer in to do his worst. Ervin asserted that the provision flatly contravenes the Fourth Amendment's prohibition of "unreasonable searches and seizures." The no-knock law, like preventive detention, could easily be broadened to cover the nation and to include other

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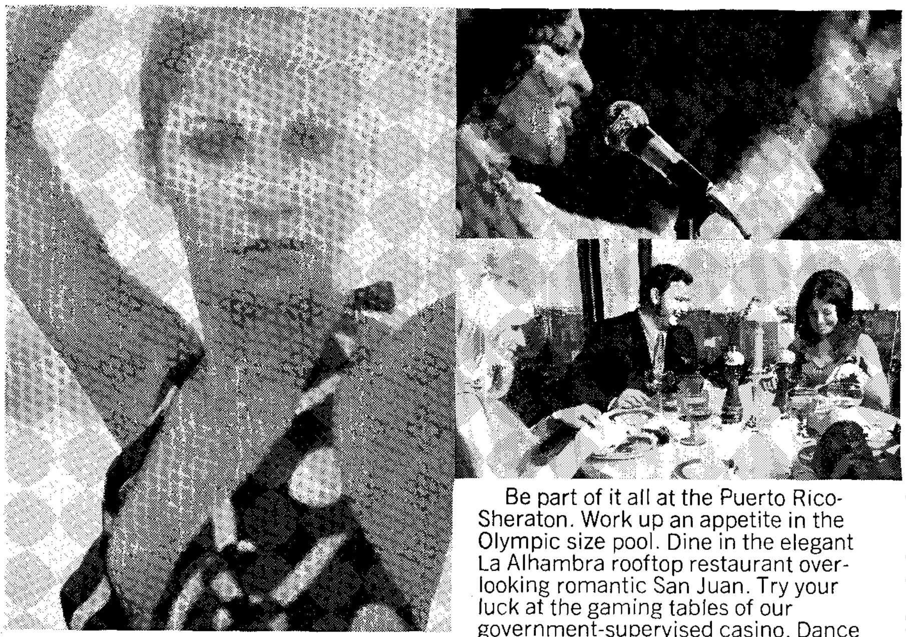
offenses—say, alleged conspiracies against the government.

Among the largely unpublicized provisions in the D.C. Crime Bill is one called "Sentencing of Multiple Offenders," which states that anyone who is convicted of any crime more serious than a "nonmoving traffic offense" in the District and has been previously convicted of the same kind of offense in any jurisdiction may be sentenced to one and a half times the maximum penalty for the second offense; if there were two previous convictions, he may be sentenced to three times the maximum penalty for the third one. The Fifth Amendment states that no one can be charged with an "infamous crime" unless first indicted by a grand jury, and both the Supreme Court and Congress have defined an infamous crime as a felony; in most jurisdictions, felonies are punishable by a year or more imprisonment. In practice, then, this provision allows a judge to impose a felony sentence for a lesser offense without *any* grand-jury action, and thereby flatly contravenes the Fifth Amendment. (Also, the law would empower District of Columbia judges to send anti-war or anti-government demonstrators who break the law in Washington in the future and who have been convicted of breaking it in two or more other demonstrations, as many have, to federal prison.) The same provision goes on to assert that anyone who is convicted of a felony and has previously been convicted of two or more felonies may be sentenced to life imprisonment. In a case of this kind, the judge bases his decision on "information" about the defendant's previous criminal record, which the prosecutor presents to the court with the jury excluded. In any attempt to rebut this information, the new law declares, the defendant "shall have the burden of proof." In the opinion of Senator Ervin and other legal scholars, this provision violates the presumption of innocence, Article 3 of the Constitution, and the Fifth and Sixth Amendments. Another section of the new law makes it a felony, punishable by up to three years in prison, to break into a coin-operated telephone box, a parking meter, or a vending machine of any kind. By combining this provision with the multiple-offender provision, any judge in Washington can send someone to prison for life for breaking into parking meters three times. And the law permits these judges to sentence anyone who commits a crime of violence while armed, even if the weapon isn't used or displayed, to life imprisonment;



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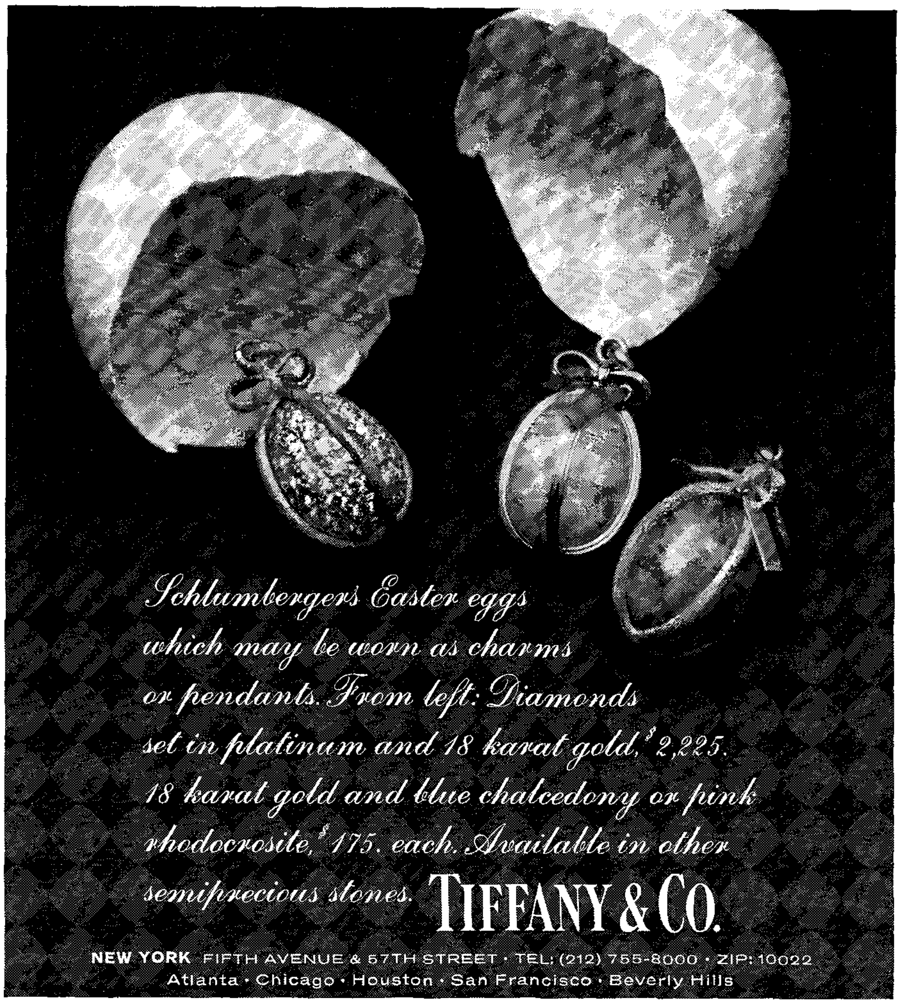

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if it is a second or subsequent armed crime, the defendant must be confined for a minimum of five years. And the law allows a prosecutor to appeal certain basic rulings by a judge during trial, and to interrupt it for as many four-day periods of delay as he can find cause for. Of course, most criminal trials don't last four days, and neither do most jurors' memories. The defendant, on the other hand, has no such right of appeal against rulings that harm *his* case. Also under the law now on the books, a person who resists an unlawful arrest is automatically guilty of resisting arrest—an astonishing means of encouraging policemen to make illegal arrests, for even if a judge throws out the alleged cause for the arrest, he must uphold a charge of resisting it.

Almost no member of Congress who voted for the D.C. Crime Bill knew that it contained a provision greatly facilitating the use of electrical and electronic eavesdropping across the nation. The provision was contained not in the subchapter entitled "Wire Interception and Interception of Oral Communications;" instead, it was buried thirty pages past the end of that section, under the heading "Conforming Amendments," which followed and appeared to be a part of the section on capital punishment. This particular conforming amendment states:

> It shall not be unlawful under this chapter for an officer, employee, or agent of any communication common carrier to provide information, facilities, or technical assistance to an investigative or law enforcement officer who, pursuant to this chapter, is authorized to intercept a wire or oral communication. . . .
>
> An order authorizing the interception of a wire or oral communication shall, upon request of the applicant, direct that a communication common carrier, landlord, custodian, or other person shall furnish the applicant forthwith all information, facilities, and technical assistance necessary to accomplish the interception unobtrusively and with a minimum of interference with the services that such carrier, landlord, custodian, or person is according the person whose communications are to be intercepted. Any communication common carrier, landlord, custodian, or other person furnishing such facilities or technical assistance shall be compensated therefor by the applicant at the prevailing rates.

The most common communication carriers, of course, are telephone companies. For many years, they were reluctant to assist agents who wanted to place wiretaps, because that would have betrayed customers and subjected the companies to highly unfavorable publicity; moreover, the procedure was

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costly and time-consuming, and it was awkward to accept payment either openly or covertly. Now, however, all the repairmen and installation men working for telephone companies must, under federal law, place wiretaps on request—not in the District of Columbia alone but throughout the country. And landlords, building superintendents, and all other employees working in apartment houses or commercial buildings must lend a hand when an agent wants to install a tap or a bug.

COMPLAINTS about the Supreme Court's leniency toward criminals have partly grown out of the widely held but mistaken impression that anyone who robs a candy store and feels unjustly treated by the law can take, and often does take, his complaint to the highest court, thereby clogging the judicial system and, in the end, probably getting off. And complaints about lower courts' leniency toward the same criminal defendants have grown out of common ignorance of what the bar of justice is like. Most criminal-court judges who let defendants off with a light sentence or no sentence at all, to the public's endless outrage, usually have no other choice, because they know that there is no room left in jails and prisons. If their years of courtroom work have left them with any sympathy, it is rarely for the people who appear before them. "To a mind-staggering extent—to an extent that conservatives and liberals alike who are not criminal-trial lawyers simply cannot conceive—the entire system of criminal justice below the level of the Supreme Court of the United States is solidly massed against the criminal suspect," Anthony G. Amsterdam, a leading Constitutional scholar and trial lawyer, observed recently. "A few appellate judges, a very few, can throw off the fetters of their middle-class backgrounds . . . and identify with the criminal suspect instead of with the policeman or the putative victim of the suspect's theft, mugging, rape, or murder. Trial judges still more, and magistrates beyond all belief, are functionally and psychologically allied with the police, their co-workers in the unending and scarifying work of bringing criminals to book." Of course, case-hardened judges can be expected to applaud what one of them recently called, in discussing the D.C. Crime Bill, "some minor technical alterations in the criminal law." And, of course, the public can be expected to follow their lead, for few men would seem to know more about what is needed in the way of revision in the criminal law than judges on criminal courts. Moreover, the President of the United States asked for these revisions, and the Congress of the United States overwhelmingly approved them.

If measures ostensibly designed to control the ordinary criminal who commits the kind of ordinary crimes that most frighten the ordinary citizen—violent crimes—were approved by citizens high and low, it was inevitable that measures aimed at organized crime would be acclaimed, too. They were—as demonstrated by the manner in which Congress carelessly approved the Organized Crime Control Act of 1970, which was largely put together by the Administration, with some assistance from Senator McClellan. The bill was guided through the Senate by McClellan and his right-wing Republican colleague Roman L. Hruska, that defender of mediocrity in high places. Both men had little to offer in support of the act besides the old claim of necessity, and on that ground—what William Pitt called "the argument of tyrants"—several basic parts of the Bill of Rights that remained intact after the D.C. Crime Bill's assault were now trampled on. To begin with, the act authorizes federal district courts to set up "special" grand juries in any district where the Attorney General or a designated subordinate decides they are "necessary because of criminal activity" or in any federal judicial district containing more than four million inhabitants. Like any other grand jury, special grand juries are empowered to investigate and to indict, but, unlike any grand jury heretofore, they are also instructed that if they find insufficient evidence to justify an indictment they can still issue reports "concerning non-criminal misconduct, malfeasance, or misfeasance in office involving organized criminal activity by an appointed public officer or employee as the basis for a recommendation of removal or disciplinary action." As originally written, the bill placed elected, as well as appointed, public officials under scrutiny and exposure by special grand juries, but the House Judiciary Committee deleted those who are elected. In a furious minority report on the bill, three Democratic members of the committee—John Conyers, Jr., of Michigan, Abner J. Mikva, of Illinois, and William F. Ryan, of New York—pointed out that the power granted such grand juries amounts to a permit for "sanctified calumny." They went on to explain that special-grand-jury reports, under the proposal,

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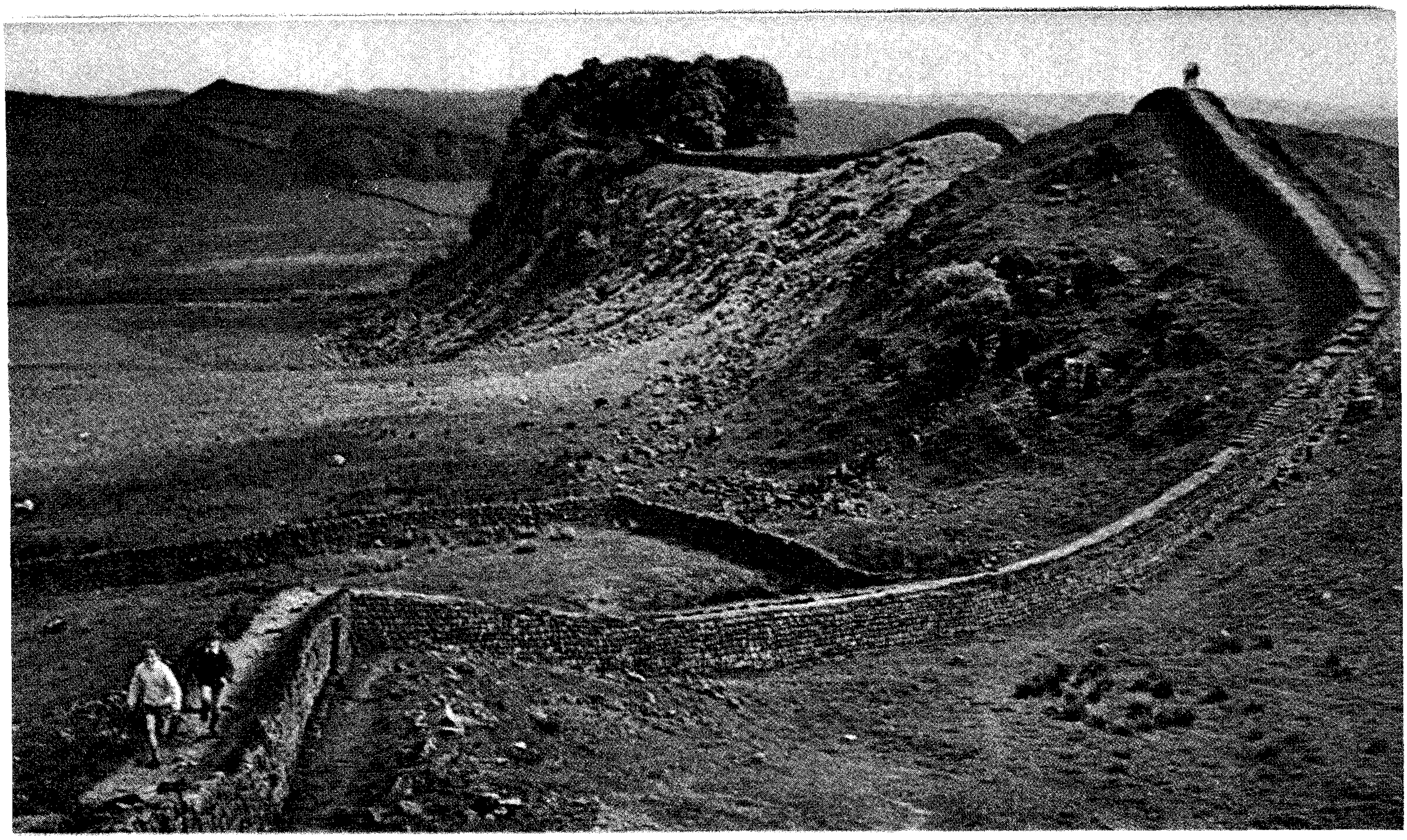

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At medieval castles, in the North Country and elsewhere, you can be Tom Jones for an evening. Sing along with strolling minstrels. Feast on huge platters of delicacies washed down with goblets of mead (honey wine). No sissy knives and forks.

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It's the one part of Europe where you can easily get off the beaten track on your own. Even the road signs are in English.

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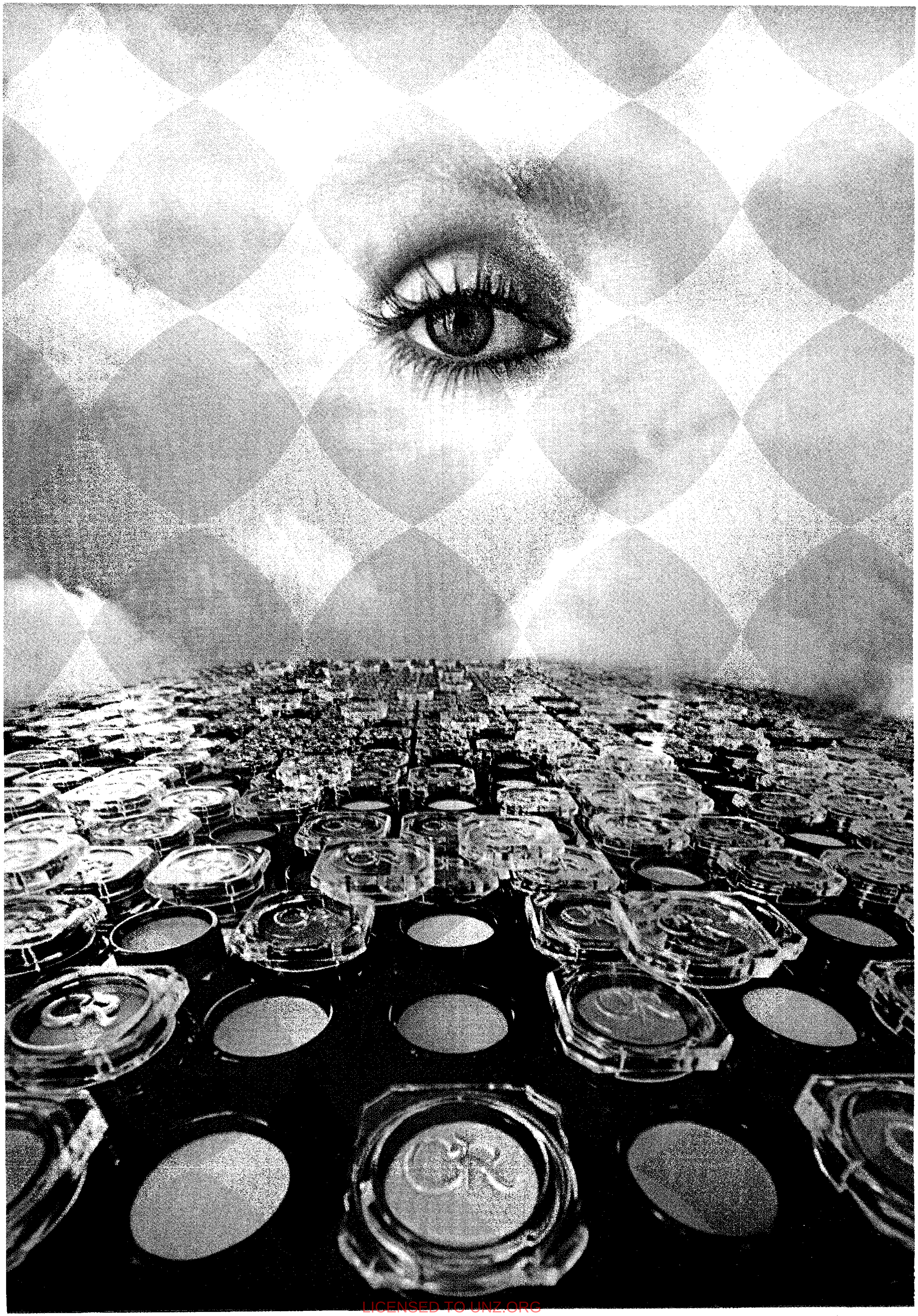
For your free 4-color booklet "Britain—A Travel Guide 1972", see your travel agent or cut out this line, fill in your Name________________________________

and Address________________________________Zip__________and mail to: British Tourist Authority, Dept. NYG, Box 4100, New York, N.Y. 10017.



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Freedom-of-choice is the name of the game and any girl with ideas of her own can play. Can make her own rules. Break her own rules. Can invent one beautiful eye look after another. Ready?

First, be choosey. Charles of the Ritz has a glorious new batch of eye makeups. 8 great ideas for spectacular eyes in 62 (all new) shades. Enough to make your head spin, your eyes enormous.

Each little makeup comes in a compact all its own. Super as a single. Or to snap up (by the twos, threes, fours or more) and snap together to have shade-after-shade, makeup-after-makeup all in a row.

Take a peek. And take your pick.

Panne Powder Shadows in textures so tender, so today, they couldn't have been born yesterday. Satin Shadows to brush on wet or dry for eye effects as you like them. Satin Liners, Brow Softeners and Colours. Highlight Cremes, Cover-Up Cremes and even a remarkable Shadow Base to make eye makeup cling for almost forever.

Be creative. Use your imagination. Make it up as you go along. Your very own eye makeup collection.

The Creative Colour System by
Charles of the Ritz

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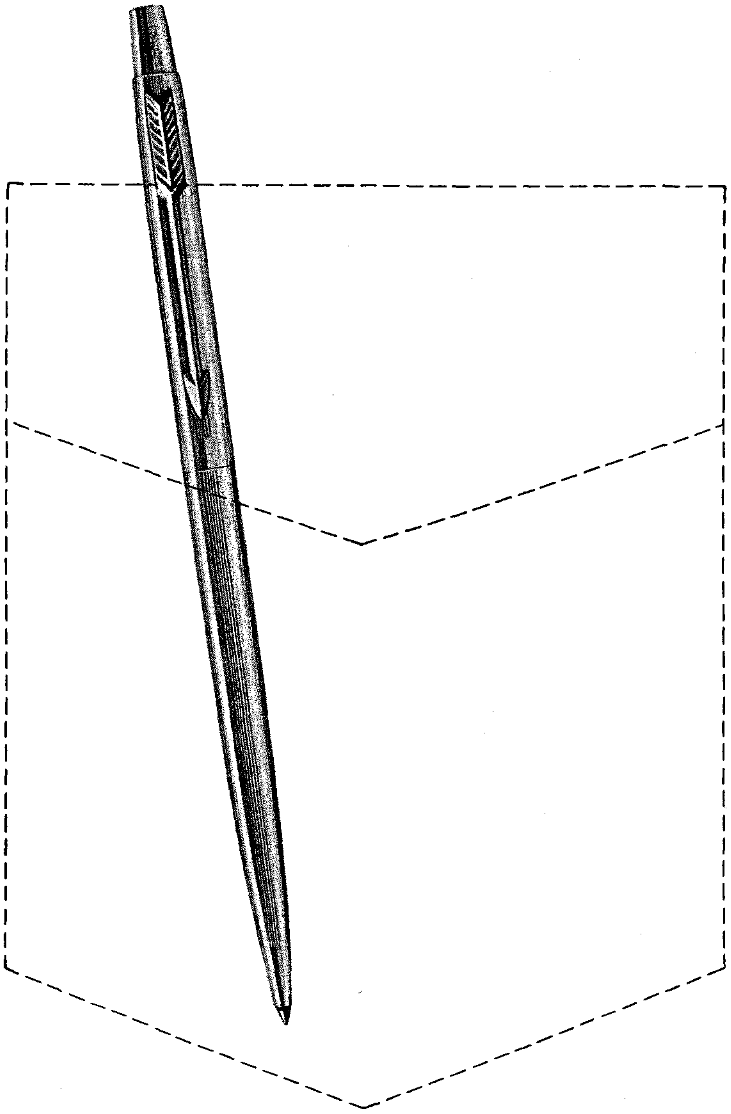
They said we'd lose our shirt.



Our pen designers gave us a thin smile and said: "You want us to design the slimmest pen Parker's ever made?"

"Correct," we said, "But only on the outside. Leave lots of room for ink."

"You mean you want it to write a long time?"

"Several times longer than the ordinary ballpoint. Months longer per cartridge, at least."

"You want it to have a gold-filled case?"

"Of course."

"But not to weigh more than an ounce—*one ounce?*"

"One beautifully balanced ounce," we said evenly. They sighed deeply, and continued to peruse the list.

"You want the pen to start writing instantly. You say you don't want the ball to slip or skip."

"Microscopic texturizing should do it," we ventured.

"And you want a choice of *five* point sizes?"

"For different kinds of writing," we said. "Broad, Medium, Fine, Extra-fine and Extra-extra-fine."

"No one's been able to design a pen like that!" they said. "Let alone guarantee it!"

"*We* can, "we said. "And we'll guarantee it against defects for the owner's lifetime. Or we'll repair or replace it—free."

"A pen like that would cost a fortune!"

"$8.50," we said.

The designers walked away in a bit of a daze. "You're gonna lose your shirt," they mumbled. "You're gonna lose your shirt."

But they made it. The Parker 75 Classic Ball Pen. And we sell it for $8.50.

So give it to someone who really matters. Someone to whom you'd give the shirt off your back. After all, it's our shirt!

PARKER

Maker of the world's most wanted pens

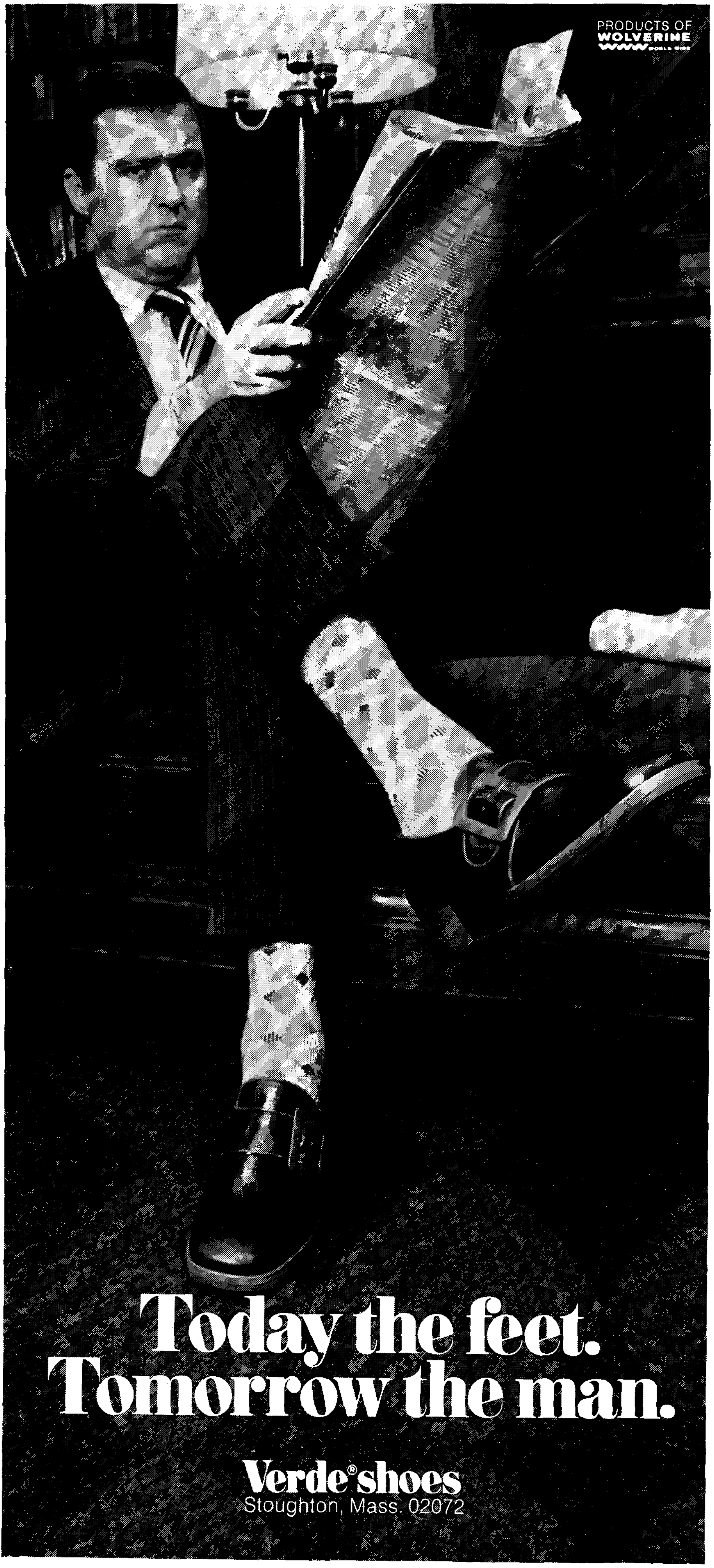
The gold-filled Parker 75 Classic Ball Pen is $8.50. With matching Cartridge Pencil, $17.00. A memorable gift for personal or business friends. Other fine Parker pens to own or give, from the $1.98 Jotter Ball Pen to the $150 Parker 75 Presidential Pen.

need not be based on legally admissible, or even relevant, evidence but can consist of opinion, hearsay, and slander, all tied together by "prejudicial casuistry." Although the law permits the subjects of these reports to appeal the conclusions before they are made public, this opportunity is confined to confronting the accusations, not the witnesses who made them. In effect, those who are accused are allowed to prove their innocence but have almost no means of doing so. Moreover, publication of such charges—perhaps concocted by an ambitious prosecutor who is out to destroy appointed officials in order to get at an elected official who appointed them—would be almost certain to ruin anyone they are aimed at. Such a law flies in the face not only of decency and common sense but of clear rulings from the Supreme Court. In 1959, the Court declared:

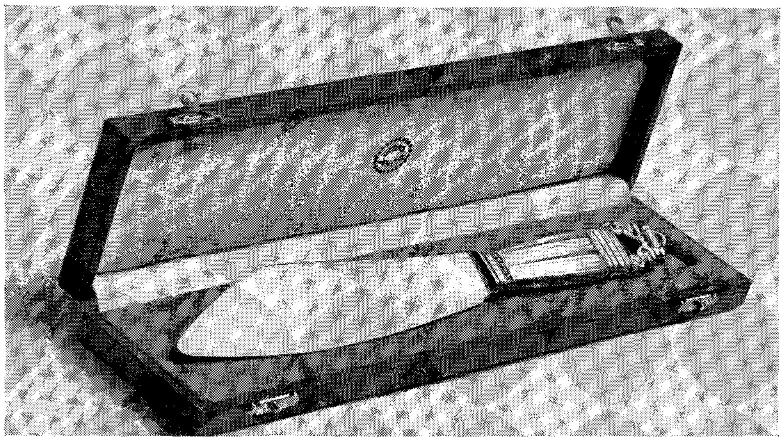
> Certain principles have remained relatively immutable in our jurisprudence. One of these is that where governmental action seriously injures an individual, and the reasonableness of the action depends on fact findings, the evidence used to prove the government's case must be disclosed to the individual so that he has an opportunity to show that it is untrue. While this is important in the case of documentary evidence, it is even more important where the evidence consists of the testimony of individuals whose memory might be faulty or who, in fact, might be perjurers or persons motivated by malice, vindictiveness, intolerance, prejudice, or jealousy. We have formalized these protections in the requirement of confrontation and cross-examination. This Court has been zealous to protect these rights from erosion. It has spoken out not only in criminal cases . . . but also in all types of cases where administrative and regulatory actions were under scrutiny. . . . Nor, as it has been pointed out, has Congress ignored these fundamental requirements in enacting regulatory legislation.

Now, of course, Congress *has* ignored them. Prompted by the Administration, it has turned aside from one of the most fundamental principles of democracy—that the weakest and most despised man is entitled to a fair chance to defend himself against the government.

On the off-chance that this provision of the new law did not sufficiently pervert the original purpose of the grand-jury system—to protect the innocent against official oppression and private smears—the Administration and Congress provided that grand juries in general could be sidestepped if they stood in the government's way. Another section of the law, which was ostensibly designed to prevent organized-crime forces from invading legitimate private



CLASSIC ACORN



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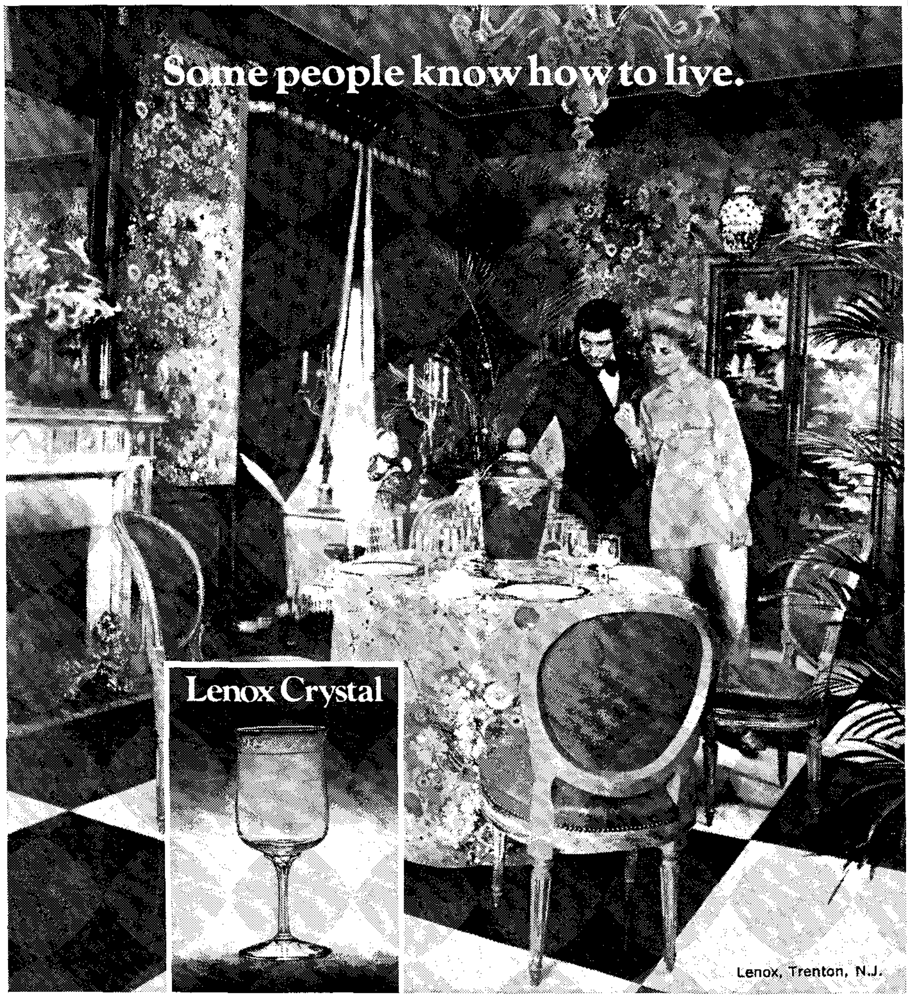

businesses, provides that whenever the Attorney General "has reason to believe that any person or enterprise may be in possession, custody, or control of any documentary materials relevant to a racketeering investigation," he can "cause to be served upon such person a civil investigative demand requiring such person to produce such material for investigation." Until now, the Attorney General, in his handling of criminal matters, did not possess anything so closely resembling the subpoena power, which had always been limited to federal grand juries. Although the new authority may be limited in scope, it seems inevitable that if the Attorney General is granted it for certain criminal proceedings he will be granted it for all criminal proceedings; otherwise, the law is discriminatory. The likelihood that this new power will be expanded through new legislation and upheld by the new Court is ominous, for in the past three years compliant federal grand juries have increasingly been used to harass and intimidate political "criminals" and political enemies, and a vindictive Attorney General could use his newly expanded authority similarly but with even less regard for the rights of particular individuals.

In 1790, the First Congress enacted a statute stating, "No conviction or judgment shall work corruption of blood or any forfeiture of estate"—that is, one's heirs cannot be punished for one's own misbehavior, and one's property cannot be entirely confiscated without regard to its value and the penalty imposed. In 1970, the Ninety-first Congress enacted a statute, as part of the Organized Crime Control Act, stating that anyone who has received income from a "pattern of racketeering activity" or who has collected "an unlawful debt" and has used the proceeds to invest in a legitimate business affecting interstate or foreign commerce can be fined up to twenty-five thousand dollars, imprisoned for as much as twenty years, and compelled to forfeit to the government all property or interests that have been obtained with such investments. A "pattern of racketeering activity" is defined as two or more criminal acts, including everything from playing cards for money to committing murder, and collecting an unlawful debt is defined as accepting payment for a bet placed in contravention of any local, state, or federal law. In other words, a man who wins money in a weekly gin-rummy game and invests it could be fined twenty-five thousand dollars, sent to prison for twenty years, and lose, for himself and his family, his

An open letter to the readers of The New Yorker

Norman Cousins
Two Dag Hammarskjold Plaza New York, New York 10017

My purpose in writing is to tell you that my colleagues and I have decided to launch a new magazine. The magazine will be published every two weeks. It will be called *World Review*.

Ever since I resigned from the Saturday Review, for reasons you may know about, I have been thinking and dreaming about the possibility of starting a magazine that, quite literally, would belong to its readers and editors.

This has never been done before. Usually, new magazines call for a prodigious investment. The reason for this is the traditional way a magazine operates. Magazines and newspapers are the only products sold to the consumer at less than the cost of manufacture. Advertising is expected to make up the difference. What compounds this problem is that the standard way of building a subscription list is through cut-rate introductory offers.

On a new magazine, the subscription list generally consists almost entirely of cut-rate introductory offers. This is why massive outside investment has usually been necessary to see a magazine through to the point where introductory-offer readers can be graduated to full-rate subscribers. Outside investment frequently means outside control—and this is something we want to avoid if we possibly can.

My hope, therefore, is that we can find enough readers willing to take a chance on us by becoming long-term subscribers from the very outset. This would make it unnecessary to seek outside financing. It would also put the reader where he should rightfully be—in a position of ultimate authority.

We decided to put these hopes to the test. I am delighted to say that the first responses to our testing have been favorable beyond even our most extravagant expectations. As a result, we are scheduling our first issue for late in the spring.

What about the magazine itself?

We believe that a magazine is essentially a reading, rather than a viewing, experience. In this sense, we will publish for a readership rather than a flippership.

The new magazine will be concerned with ideas and the arts. Our arena, however, will be the world. We will do more than report on books, plays, movies, music and the arts in just the United States alone. We will attempt to review and report on cultural events on a world scale—cultural being defined in its broadest sense.

We will write about the human condition at a time when the ability of human intelligence to meet its problems is being tested as never before. Our hope is to see the world as the astronauts saw it—a beautiful wet blue ball with millions of factors in the delicate combination that makes life possible. Our dominant editorial concern, then, will be the proper care of the human habitat—whether that means world peace and everything that is required to bring it about, or world environmental deterioration, or overcrowding, or any of the things that indignify and humiliate human beings.

We will also give major attention to what we believe will be one of the most compelling issues in the years ahead—the waste of human resources, far more costly than the waste of physical resources.

I think I have said enough to indicate that the new magazine will direct its central editorial energies both to the enjoyment of creative living and to the pursuit of vital ideas. But it would be a mistake, I think, to attempt a full description of the magazine. Magazines are not really invented or created. They evolve. They are the product of creative interaction between the special tastes and enthusiasms and concerns of a few editors, and the tastes and concerns of the readers.

In this way, a magazine takes shape issue by issue and year by year. No single issue can really be expected to tell a reader everything he may want to know about the nature of a magazine, its underlying philosophy, or its capacity for growth. Since it might be misleading to try to tell you exactly what our new magazine will be like, what I have tried to do is to tell you something about our philosophy and our approach—and to seek your help in achieving our aims.

Some specifics: The rates will be $12 for one year; $20 for two years.

For pre-publication Charter subscribers we propose a special three-year rate of $25.

The reason we emphasize three-year subscriptions is that this reduces sharply the astoundingly high cost of processing renewals.

Even more important is the fact that long-term subscriptions will free us to do our main job—which is to try to publish a magazine you will read and respect.

We ask no money now. That can come later. What we do need right now is an expression of your interest.

As I said above, in inviting you to join us in what we hope will be an exciting adventure in ideas, we realize we are asking you to take a chance on us. We have high hopes of justifying that confidence. The process begins with the Charter Subscription form below.

Sincerely,

Norman Cousins

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If you haven't seen the Norman Rockwell exhibition at The Brooklyn Museum it's probably because you don't know how to get there.

Since March 22nd The Brooklyn Museum has been having an exhibition of the best known illustrator of America who ever lived. You have until May 14th to figure out how to get there.

By auto from New Jersey: Take the G. W. Bridge to the West Side Highway, over the Brooklyn Bridge to Flatbush Ave., continue on Flatbush Ave. until Eastern Pkwy., drive one block to Washington Ave.

By auto from Westchester: Whitestone Bridge to the Interboro Pkwy., drive on Interboro until the Eastern Pkwy. Exit, take Eastern Pkwy. to Washington Ave.

By auto from Long Island: Take the Shore Pkwy. to Flatbush Ave. Exit, continue on Flatbush Ave. until Eastern Pkwy., drive one block to Washington Ave.

By subway from the Bronx and Manhattan: 7th Ave. IRT Express to Eastern Pkway. Brooklyn Museum Station.
Lexington Ave. IRT Express to Nevins St. Station, cross platform for 7th Ave. Express to Eastern Pkway, Brooklyn Museum Station.

By subway in Brooklyn: New Lots or Flatbush Ave. IRT to Eastern Pkway. Brooklyn Museum Station.
Brighton Beach BMT to Prospect Park Station, cross platform for the Franklin Ave. Shuttle to Eastern Pkwy. Station.

By subway from Queens: Flushing IRT line to Times Square, go upstairs and transfer to 7th Ave. IRT Express to Eastern Pkwy. Brooklyn Museum Station.
Jamaica line QJ to Borough Hall in Brooklyn, transfer to 7th Ave. IRT Express to Eastern Pkwy. Brooklyn Museum Station.
The E or F train to Roosevelt Ave., change to Flushing IRT to Times Square, go upstairs to 7th Ave. IRT Express to Eastern Pkwy. Brooklyn Museum Station.

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share of the business he invested in. Supporters of this law contend that it will be used only against organized criminals, while its critics retort that law should not be based on promises, that this law creates unequal justice, and that if the government could prove, as it so rarely does, that a member of a criminal syndicate had played in a couple of poker games where money changed hands, that would be enough to send him away without having to prove in addition what he had done with his winnings. In addition, "any person injured in his business or property by reason of a violation of [this law]," the statute states, "may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee." That is to say, if a restaurant owner who was not involved with a criminal syndicate won some money on a couple of bets placed through a bookie on the World Series and used his winnings to refurbish the inside of his place or put up a new sign outside, he could be sued for triple damages by a competitor down the street who *was* a racketeer, on the ground that these improvements had lured away his customers. Although the damages might be difficult to prove, winning that point wouldn't be vital, for tagging a competitor with the charge that he was a racketeer—a rather easy charge to support under the law's flagrantly loose definitions of that term—would ordinarily be enough to ruin a man.

A section of the Organized Crime Control Act that is entitled "Dangerous Special Offender Sentencing" has the effect of extending the D.C. law governing "multiple offenders" to the rest of the nation. Once again, a statute that is supposed to be confined to organized criminals could be used against a wide variety of other defendants, including those who are accused of committing political offenses. Under this section of the law, a defendant charged with committing a felony that is punishable by a year or more in prison who has previously been convicted of two or more separate felonies and has served time within the last five years for at least one of them may be adjudged a dangerous special offender; a defendant who commits a felony "as part of a pattern of conduct" that is criminal under the law, that constitutes "a substantial source of his income," and that reveals "special skill or expertise" on his part may also be adjudged a dangerous special offender;

and, finally, a defendant who commits a felony as part of a criminal conspiracy with three or more other people to engage in "a pattern of conduct criminal under applicable laws" and who had anything to do with starting, organizing, planning, financing, or directing such a conspiracy, or who gives or receives a bribe or uses force in such a conspiracy, may be adjudged a dangerous special offender. A person who is found by the presiding judge to fit any one of these categories may be sent to prison for up to twenty-five years. Before the defendant's plea is entered, a prosecutor who intends to ask that he be designated as a dangerous special offender must present the judge, before the trial, with "information" about the defendant, and the law states that "no limitation shall be placed on the information concerning [his] background, character, and conduct." In opposing this provision at a Senate hearing, a spokesman for the New York City Bar Association pointed out, "The trial court is directed to base its findings on a 'preponderance of the information,' yet the sentencing decision may be far more critical than the initial determination of guilt or innocence, which must be made on the basis of admissible evidence and beyond a reasonable doubt. 'Information' of all kinds, not only hearsay and rumor but also, presumably, the fruits of unlawful searches or illegal wiretapping, could be used and the defendant sentenced to . . . twenty-five years without any of the real protections afforded by a jury trial."

At a pre-sentencing hearing, the defendant has the right to counsel and to cross-examine "such witnesses as appear at this hearing," but, as in the case of reports put out by special grand juries, the witnesses will ordinarily be those who prepared the reports, not the informants who contributed to them. Moreover, the judge may omit from the material shown to the defendant any allegations that were originally contained in it and yet may base the decision that he is a dangerous special offender on what was left out. The judge may also infer that the defendant has engaged in "a pattern of conduct which was criminal" solely because he "has had in his own name or under his control income or property not explained as derived from a source other than [criminal] conduct." Once again, the burden of proof is shifted from the prosecutor to the defendant, and the presumption of innocence vanishes. Of course, when that is taken away from

It's just a 45 minute drive from Honolulu. But it's like being on an Outer Island.

A lot of people
step off the plane at Honolulu and do a double take.
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Whatever happened to Old Hawaii?"
She moved.
She moved 45 minutes away, to the other side of the same island.
To the North Shore. Where steep green mountains stand with
their heads in the rain clouds. And their toes buried in the sand.
Where the gentle roar you hear isn't a freeway;
it's surf rolling in on a wide empty beach.
This is Old Hawaii. And here, on a secluded point overlooking the
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①Kuilima ②Sunset Beach, just 5 minutes away. ③Polynesian
Cultural Center, just 10 minutes away. ④Sea Life Park,
50 minutes away. ⑤Waikiki, 55 minutes away. ⑥Pearl Harbor,
40 minutes away. ⑦Honolulu, 45 minutes away.

Del Webb's
KUILIMA
(Koo-ee-lee-ma)

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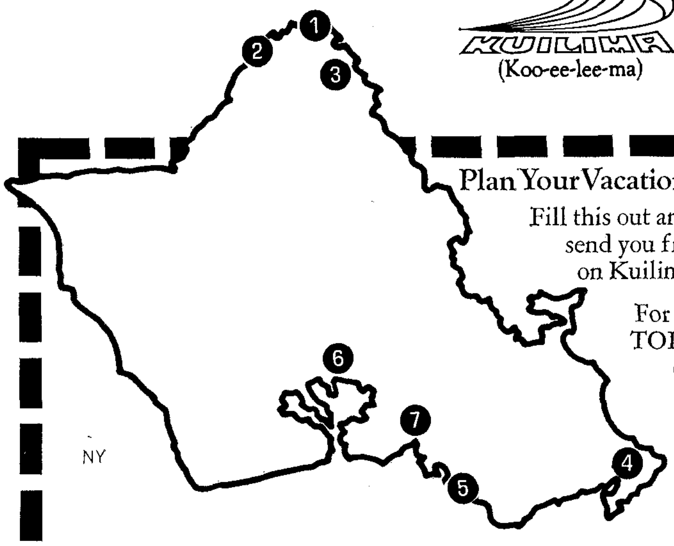

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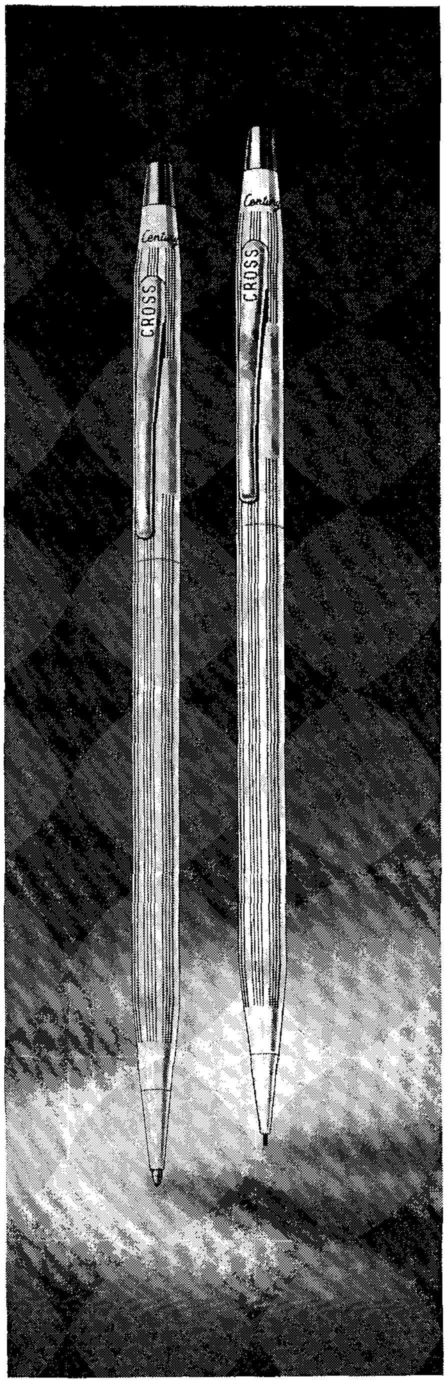

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anyone, it may be taken away from everyone. Finally, the law gives the government the right to appeal the decision of a judge who has declined to call a defendant a dangerous special offender. This is an unprecedented grant of power that may well violate the Constitutional stricture against double jeopardy. The law also gives the government the right of appeal in dangerous-special-offender cases if it feels that the sentence imposed is not long enough; this is also an unprecedented grant, and assuredly constitutes double jeopardy, for it amounts to a right to appeal the facts rather than the law. These changes give any federal prosecutor a huge club, for a defendant who refuses to plead guilty and to bargain for a lesser sentence than he could be given might face the risk of being charged as a dangerous special offender and sent to prison for much longer than he would have been had he pleaded guilty to the original charge. And, finally, these innovations could readily be expanded to cover other areas of criminal law, such as political crimes.

THE Fifth Amendment privilege against involuntary self-incrimination—"nor shall any person . . . be compelled in any criminal case to be a witness against himself"—has always been one of the most bitterly contested sectors in the war between the left and the right. Those on the left and in the center have defended it as an essential bulwark against an inquisitorial government. And those on the right have attacked it as a screen that criminals and traitors hide behind. Before being appointed Chief Justice, Warren E. Burger called for revision of the Fifth Amendment, and one of the earliest official acts of Attorney General Mitchell was to order a secret Justice Department study of the feasibility of amending the amendment. As it turned out, that wasn't necessary, because the liberals, overcome by panic at being charged with coddling criminals and confused by dissension within the ranks, blew up their own front line. In 1966, Congress had set up the National Commission on Reform of the Federal Criminal Laws, under the chairmanship of Edmund G. Brown, who was known less for his legal acumen than for having defeated Richard Nixon for the governorship of California in 1962. The commission, which was controlled by a liberal majority, completed its work in 1970, and recommended several thousand large and small changes in the federal criminal code. One of them was a proposed revision of the federal immunity laws, based on the Fifth Amendment, which the Supreme Court and Congress had long defined as being absolute—that is, no person could be compelled to testify against himself unless he was granted *total* immunity from *any* prosecution for *any* part he might have had in the event or transaction being inquired into. The Brown Commission recommended that this total immunity be legislatively changed to partial immunity. The suggested revision, known as "use immunity," would prevent anyone who was compelled to testify from being prosecuted on the basis of that testimony but would not prevent prosecution based on evidence that was obtained independently of, and was untainted by, the coerced testimony.

Use immunity was drawn up in the form of a bill and introduced in the House by three representatives who had served on the commission and were also members of the House subcommittee having jurisdiction over legislation dealing with criminal law—Richard H. Poff, a conservative Republican from Virginia; Don Edwards, a liberal Democrat from California; and Robert W. Kastenmeier, a liberal Democrat from Wisconsin. Their subcommittee, which had a strong liberal majority, held a one-day hearing on the proposed weakening of the Fifth Amendment's privilege against compulsory self-incrimination. Only six witnesses appeared to testify, including Poff, who described the measure for the other members. Another witness was Will Wilson, then head of the Criminal Division of the Justice Department, who gravely declared that some kind of change like the one contemplated was desirable, because "public knowledge of the Fifth is such that there is wide acceptance of it, and more people will probably use it than has been the case in the past." In other words, something had to be done to stop all those citizens who had learned about their rights from asserting them.

Only one witness—Victoria Popkin, a spokesman for the American Civil Liberties Union—testified against the bill. After delivering a long, detailed, and persuasive exposition to demonstrate that the proposal ignored practically everything that the Supreme Court had ever said on the subject of the Fifth Amendment's privilege against compulsory self-incrimination, she went on to describe a few of the results that one could expect if the bill became law. Once a prosecutor can force a prospective defendant to testify

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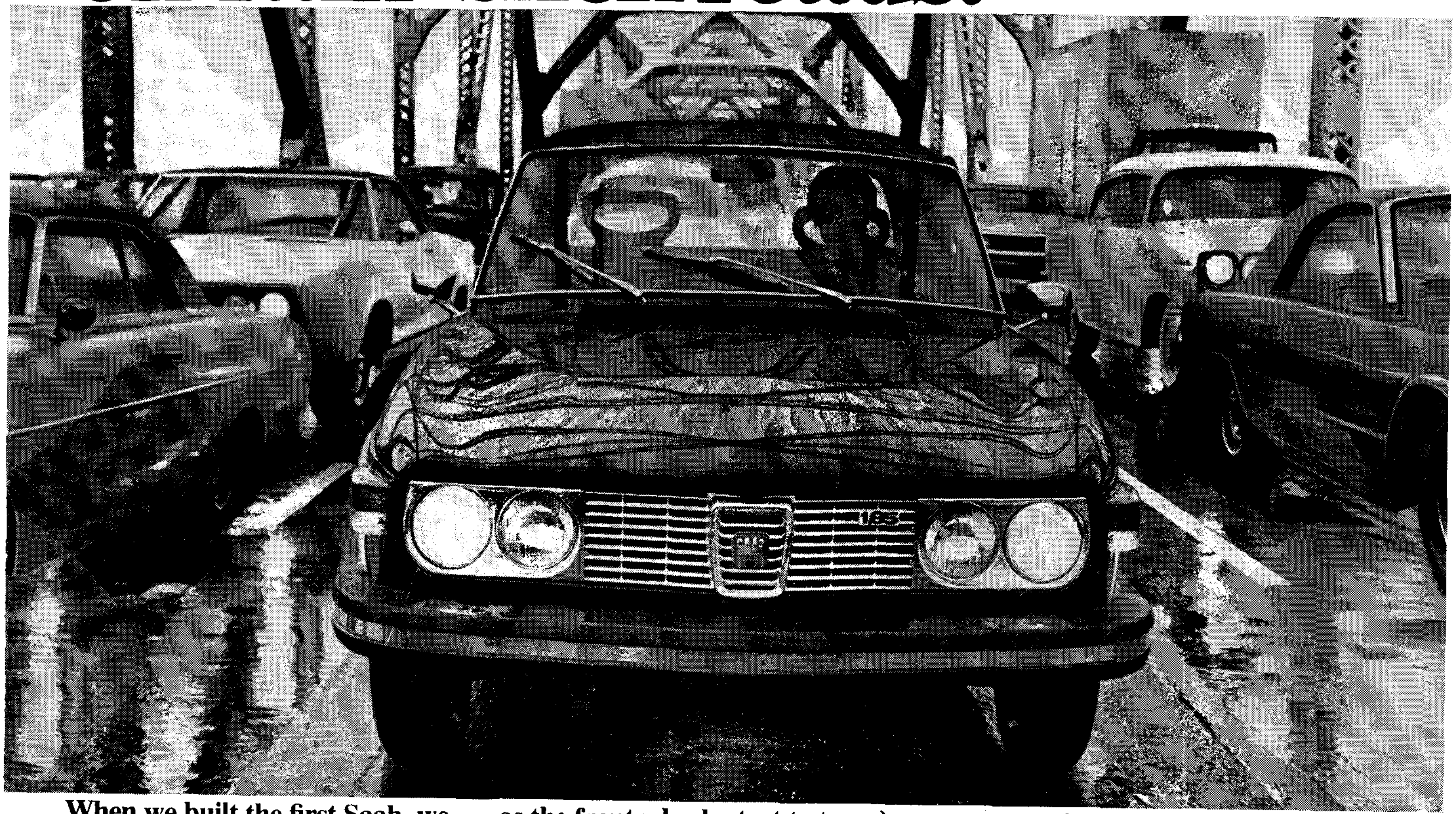

When we built the first Saab, we built it with front wheel drive for roads that are one big puddle.

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But front wheel drive isn't the only thing that makes us different from the other car built in Sweden.

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And "roll cage" construction. The kind that soon, by law, may be required on all cars.

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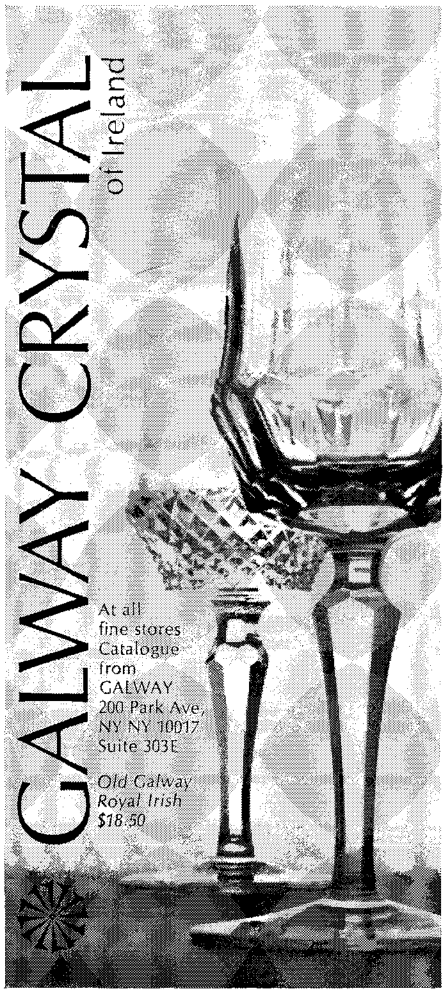

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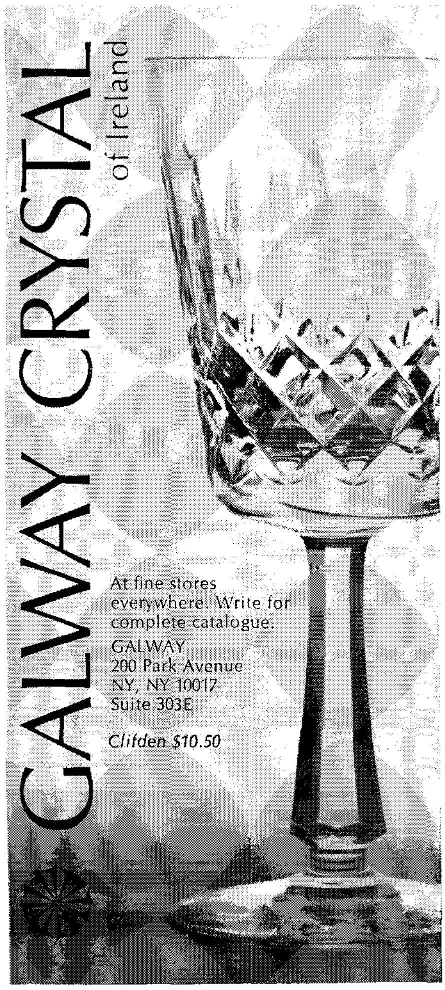

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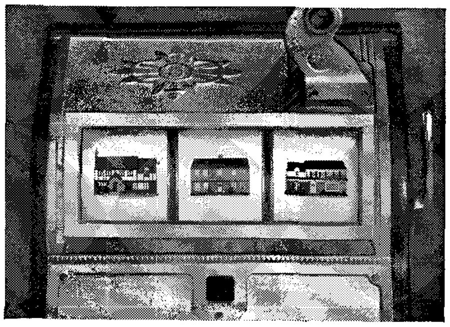
about his own possibly criminal actions, she said, the government's already enormous advantages—in manpower, money, and the oppressive atmosphere of the courts—become colossal, for such a procedure would enable the prosecutor to narrow his search at once to a single person. "A less than candid prosecutor would be limited only by his ingenuity and diligence in uncovering an independent piece of evidence from which he could claim his investigation and its fruits proceeded," Miss Popkin explained. Of course, ambitious prosecutors intent upon building records of convictions often use illegally acquired tips from wiretaps or bugs, or covertly broaden court-imposed limits on ordinary search warrants to include everything in a suspect's possession, so there was little reason to believe that they would not abuse the power inherent in use immunity. It would encourage prosecutors to ignore the clear intent of the Fifth Amendment, she continued, for under such a law they could grant immunity to a suspect and go on to prosecute him afterward just the same. In the past, suspects had ordinarily been granted immunity only as a last resort—most often in the case of peripheral rather than principal suspects—because prosecutors were naturally unwilling to take a step that would make later prosecution impossible. But grants of use immunity would probably be the first resort of the lazy or incompetent or tyrannical prosecutor. Under existing law, Miss Popkin told the subcommittee, federal courts had authority to approve or deny an official request by a federal prosecutor that a witness either testify or go to jail for contempt of court, whereas under the use-immunity bill federal courts were required to approve such a request. This amounted to the direst kind of assault on the judicial system itself, as well as on the rights of the individual, she added, because it placed "totally unrestricted power to grant immunity in the hands of the prosecutor," while at the same time it "reduces the requirement of a court order to a mere paper procedure."

In the case of federal departments and agencies, the rules laid down in the use-immunity proposal were open to even more extravagant abuse. Once again, the bill transformed court approval of official requests that a witness be forced to testify into rubber stamps. Citing the example of the Subversive Activities Control Board, which the Nixon Administration recently rescued from its almost moribund state and revived with a large infusion of funds, Miss Popkin pointed out that in the



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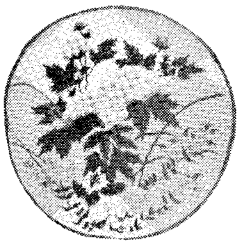

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past the S.A.C.B. had hesitated to give witnesses immunity, since that would have precluded their prosecution. Now, however, the board would be able, under such a law, to "call controversial witnesses and use this power to expose and harass" them, thereby violating not only the right of privacy but the rights of free speech and assembly, along with the right not to incriminate oneself. In the case of congressional committees, she went on, the bill made court approval of congressional requests for grants of immunity and contempt citations mandatory as long as two-thirds of the members of a committee of either house voted in favor of them. Since courts would lack the authority under such a law to determine whether a congressional grant of use immunity was proper, relevant, and necessary, as existing law required, Miss Popkin went on to say, Congress might use this power to harass unpopular witnesses. In view of the demagogic excesses of the old House Committee on Un-American Activities, the Senate Subcommittee on Internal Security, the Subversive Activities Control Board, and the Department of Justice under comparatively strict law, it would seem to be the most dangerous kind of folly to loosen the law.

Miss Popkin was the last witness at the one-day hearing, and when she concluded her testimony a couple of subcommittee members questioned her for about ten minutes. Not long afterward, the subcommittee approved the bill with only one dissenting vote—cast by Congressman Ryan, of New York, who stated that such a law would destroy the Fifth Amendment. Later, the parent Judiciary Committee, also under the control of a strong liberal majority, approved the measure, and it was included as part of the Organized Crime Control Act. Even so, the committee was sufficiently uneasy about what might be done with the new act to add at the last moment a title that provided for a federal commission to oversee the operation of it and to report to Congress and the President on any intrusions on individual rights that were made under its provisions, including the one authorizing use immunity. The commission was to consist of fifteen members—four appointed by the President of the Senate, four by the Speaker of the House, and seven by the President. Senator McClellan tried to block adoption of the title, but failed; he then accepted a Senate appointment to the commission. However, the President has so far failed to appoint anyone to the commission, which was supposed to begin functioning on January 1,

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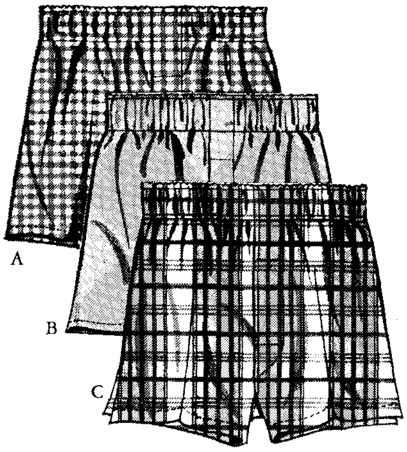

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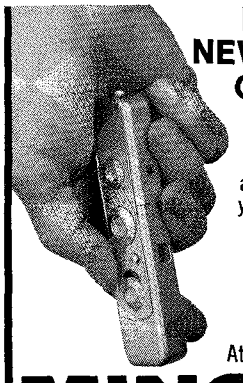

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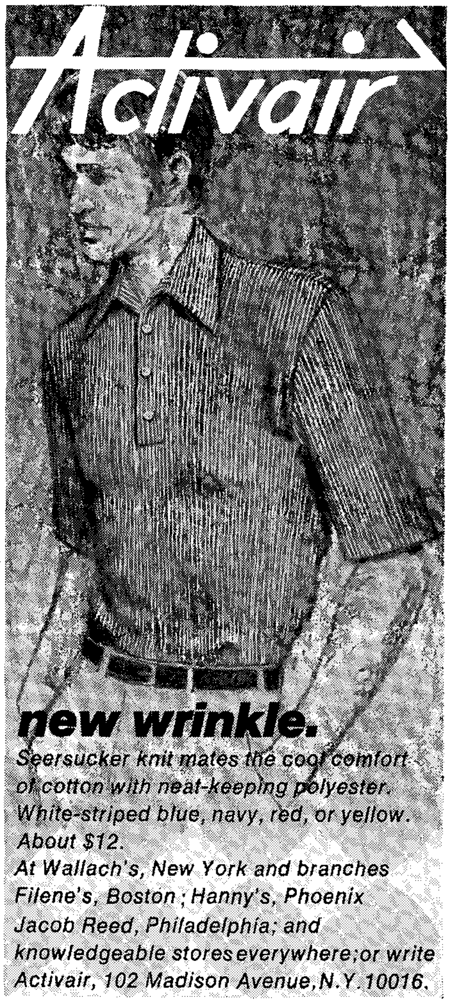
1972, and it has never met. Rumor has it that McClellan, who is chairman of the Senate subcommittee on appropriations that would provide operating funds for the commission, has threatened to withhold them if the White House names even one civil libertarian to it. Recently, he also introduced a bill to amend the title so that it safeguards the prosecutor's rather than the individual's liberties.

Although Congress designed use immunity to replace total immunity, the latter is still on the books, to protect the government in the event that use immunity is ultimately thrown out by the Supreme Court. In the meantime, government prosecutors have offered a number of prospective witnesses use immunity, and when they have refused, as several have, and have threatened to take the issue to court, the government has granted them full immunity and federal courts have forced them to testify or go to jail. In short, the government has used the law to bargain with people over their most basic rights. When use immunity is added to secret surveillance and the more or less unrestrained reports of grand juries, the so-called "chilling effect" on the First Amendment rights of free speech and free assembly is bound to plummet by several degrees. Under these repressive conditions, only the hardiest would venture to associate themselves with those who actively oppose government policy.

Aside from the ancient rule that a man should not be forced to condemn himself out of his own mouth, there is the point that even an innocent person may have something to hide, and the right to hide it—particularly if he finds himself living under an inquisitorial government. In that event, behavior that would otherwise be officially tolerated as a nuisance may become a crime. Although the Nixon Administration could not be fairly characterized as tyrannical, some of its acts certainly have been, for they have employed, often unjustly, the most immense government power in response to the most trifling threats. For instance, conspiracy theorists on the right who hold high posts in the Justice Department have charged, in effect, that critics of the war in Vietnam are actually critics of the government and are bent on destroying it. How they could possibly succeed, even if this were their intent, has never been explained. Preposterous as such conspiratorial fantasies may be, their use in an increasing number of federal cases serves a very serious political purpose—destruction of the left. Nothing has so unified or typified the liberal movement



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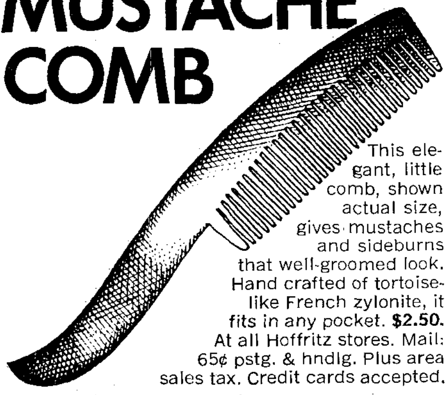

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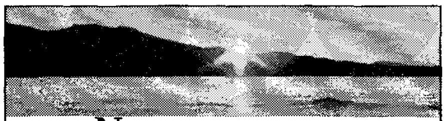

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in this country in the past generation as opposition to the war in Vietnam, and to the right wing, of course, nothing could be clearer evidence of Communist inspiration than opposition to an anti-Communist war. Once again, crime is the issue—the most monstrous crime: treason—in the attempt to destroy, or at least discredit, the opposition. In the prosecution of Dr. Daniel Ellsberg and of Father Philip Berrigan and six other defendants in Harrisburg, grand juries have been employed to harass and intimidate associates, friends, and relatives of the accused. For instance, a federal grand jury in Los Angeles summoned Ellsberg's fifteen-year-old son at seven-thirty one morning to appear before it at nine-thirty the same morning, and then grilled him for over two hours on what his father had told him about the classified Pentagon Papers, which had been published in several newspapers. Immunity has been granted many witnesses in these cases, along with some of the defendants, to compel them to testify against each other. A federal district judge in Boston found Ellsberg's stepmother-in-law in contempt for refusing to divulge what she knew. And Anthony Russo, who admitted that he had helped Ellsberg duplicate the Pentagon Papers but refused to say any more, spent forty-seven days in jail for his defiance of the government. In the Harrisburg case, several defendants and prospective witnesses have also been granted immunity and then held in contempt for refusing to talk. Moreover, many of these people, along with Ellsberg's friends and associates, have been relentlessly investigated by the F.B.I. and called before grand juries. If any of these people—however innocent of any involvement in either affair and however convinced that there was no conspiracy of any kind—should refuse to tell whatever the government wants to know, they may go to prison.

"WHERE the press is free, and every man able to read, all is safe," Jefferson observed a few years after he left the Presidency. Yet he had been the object of as scurrilous attacks by journalists as have been endured by any President. "Our newspapers, for the most part, present only the caricatures of disaffected minds," he wrote to an acquaintance in Europe halfway through his first term in office. "Indeed, the abuses of the freedom of the press here have been carried to a length never before known or borne by any civilized nation." Probably every President has resented the

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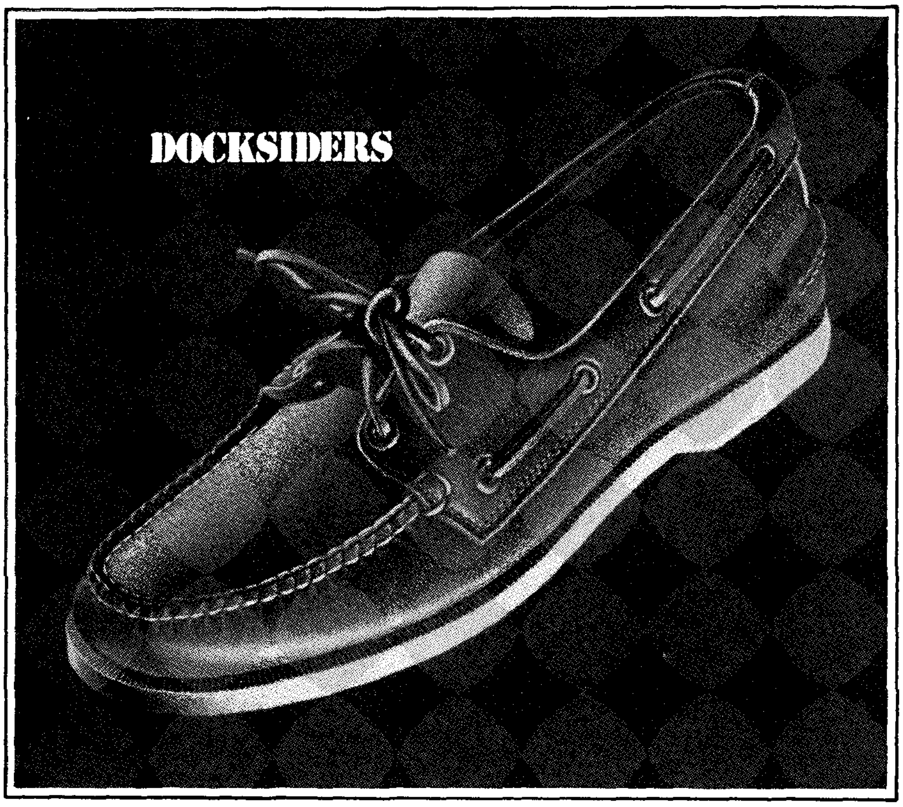

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press, and at times feared it, but until now none has tried to silence it with quite the zeal the Nixon Administration has displayed. Since the people have no other means by which they can learn what their government is doing, any attempt by it to control the press in any way—whatever its worst excesses, and they are always plentiful—must be tyrannical by nature, even if the public applauds it. Vice-President Agnew's fulminations against the press were approved in advance by the President, who, Mr. Agnew recently revealed, watched a television broadcast of his first broadside against TV commentators with the greatest relish. At best, that suggests an insensitivity to Constitutional propriety. Senator Ervin, who is no great admirer of American journalism, called the attacks "a clear attempt to bully the press into changing its attitudes," and added, "The Administration assaulted the very integrity of the press and called into question its right to disagree with official views. Other administrations have had a hostile press, but other administrations have been content to complain or cajole. This time the very *bona fides* of the press were put in issue."

While the Nixon Administration has declared that it has every right to know what reporters learn in the course of their work, as displayed by its prosecution of Earl Caldwell, of the New York *Times*, for refusing to give a federal grand jury his notes on interviews with the Black Panthers, at the same time the Administration has declared that the people have no right to know about past Administrations' blindness and deception, as described in the Pentagon Papers. Although the publication of classified documents could not simply be ignored, there was one compelling political reason for the Nixon Administration *not* to make an issue of these documents—they contained nothing about the Nixon Administration. There was also one compelling legal reason for not trying to stop publication of the papers—the First Amendment. Despite the obvious drawbacks in taking action against Ellsberg and the newspapers that had published the Pentagon Papers—principally the *Times* and the Washington *Post*—the chance to crush the Administration's opponents, or critics, in the press and in the anti-war movement was apparently too attractive to pass up. While it is probably too early to determine whether the attempt paid off conclusively, it has almost certainly had an adverse effect on those it was aimed at. By now, nearly every reporter in the country must have heard about what has happened to Neil Sheehan, who prepared the Pentagon Papers for use in the *Times;* in a frenzied effort to prove its conspiracy theory, the government has investigated his wife, his relatives, his friends, his associates, his comings and goings, and his bank account. It will probably be a long time before his fellow-reporters forget the lesson. "Not since the Presidency of John Adams has any Administration so instinctively distrusted the exercise of freedom of speech and of the press by the American people as this one," Henry Steele Commager wrote recently. Of course, distrust of so fundamental a principle expresses distrust of the people themselves.

IN an appearance before Senator Ervin's subcommittee last year, Assistant Attorney General Rehnquist assured its members that no one had to fear government surveillance, because in an important matter involving the rights of citizens the Administration could be relied on to conduct itself with "self-discipline." To date, the most notable examples of this doctrine in practice have been the government's self-discipline in not making vigorous efforts to prosecute the National Guardsmen who killed four students and wounded eight others at Kent State University in 1970 or the Mississippi state troopers who murdered two students at Jackson State the same year. Perhaps the best measure of the Administration's promise to behave with restraint was its response to the Mayday demonstration in Washington last spring. After the riots that crippled Washington following the assassination of Dr. King in 1968, an advisory panel recommended that in future large-scale disturbances police use "field-arrest forms." Under this system, which the panel devised, a policeman who has arrested someone is to take him to the nearest police van, where a Polaroid photograph is taken of the two together as evidence that a particular officer arrested a particular person; the officer is then to fill out a brief form describing the circumstances of the arrest, attach the photograph to the form, and give

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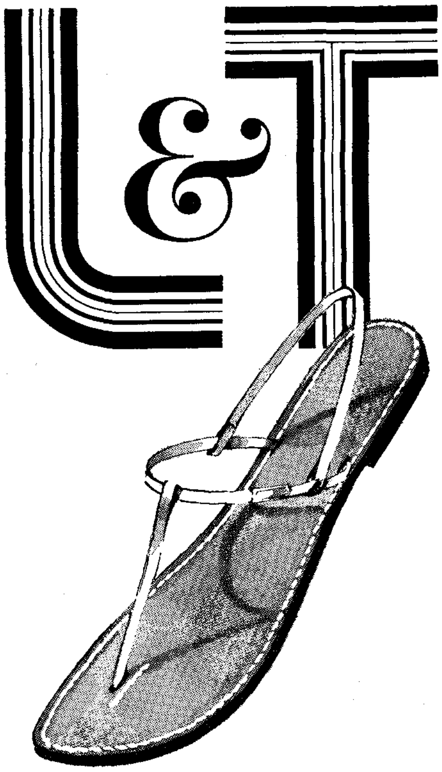

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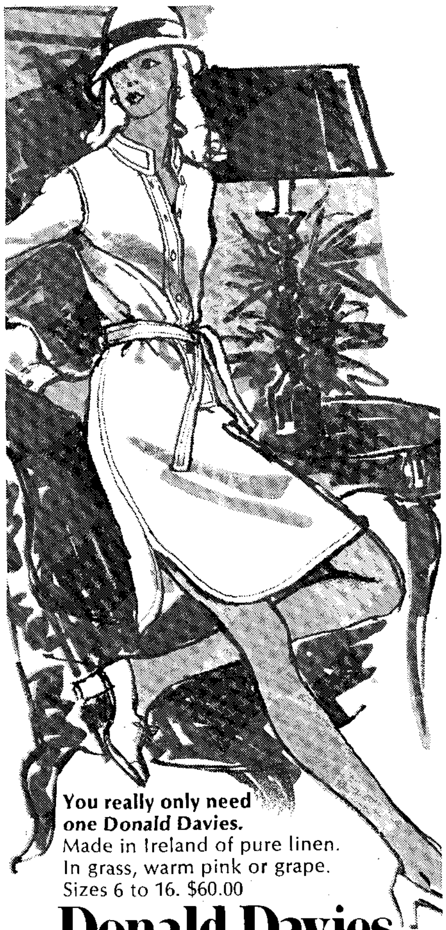

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the document to the custodian of the van. Washington police adopted this system, and during the comparatively small protests that took place in Washington in the days immediately preceding May 3, 1971—the day that a group of militant anti-war protesters known as the Mayday Tribe had promised to halt traffic and slow down government operations throughout the city—the new procedure was used successfully in several hundred arrests. But at a little before seven o'clock on the morning of Monday, May 3rd, Chief of Police Jerry V. Wilson suddenly ordered use of the field-arrest forms suspended and the streets cleared. Within a few hours, more than seven thousand people had been arrested. Almost all of them were charged with disorderly conduct, which is a misdemeanor. Assistant Attorney General Rehnquist justified the government's action, which, he said, had been taken under a legal principle akin to "qualified martial law." There is no such legal principle. Nor was martial law, or anything resembling it, invoked by the Administration. The principle that should have applied to the arrests was a very basic and very simple one: due process of law. Under federal law and most state laws, a police officer cannot arrest someone for a misdemeanor unless he sees the person commit the crime and can identify him and describe what he did before a magistrate. Wilson's order openly violated this elementary rule of due process, for, as everyone knew at the time, few policemen would later be able to connect suspects with acts committed during the melee. In sum, any policeman who made an arrest without recording on the spot the identity of the suspect and the details of the crime made prosecution impossible. That, under the law, made the arrest illegal. Some of those who were arrested that day were taken into custody while they were actually breaking the law, but since they were arrested in a manner that precluded prosecution, they were arrested illegally. Others who had broken the law earlier and intended to break it again later were arrested while they were not doing anything wrong, so their arrests, too, were illegal from the moment they were taken into custody. And still others who were illegally arrested were innocent bystanders: passersby, attorney observers, government employees and business people on the way to work, journalists, and even a group of Canadian schoolchildren who had been brought to Washington by their teacher to observe democracy in action. Since a person who is unlawful-

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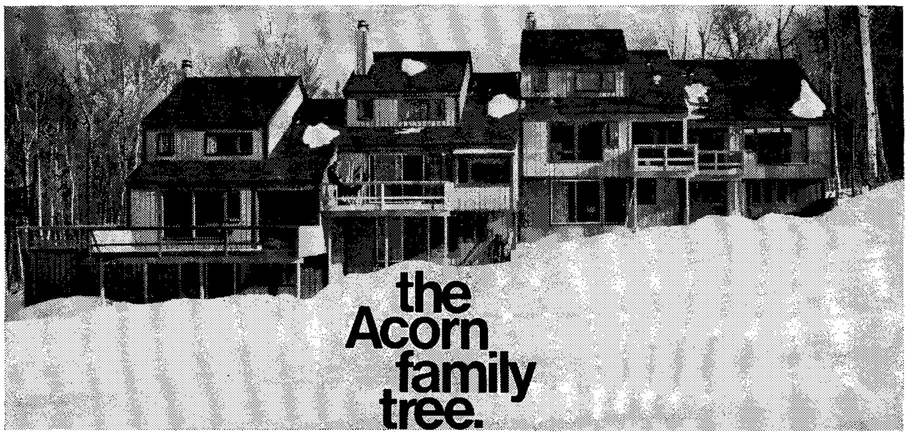
ly arrested or against whom there is no evidence of having committed a crime cannot be lawfully detained, the imprisonment of almost all the people locked up that day—and then held for anywhere from ten to sixty hours—was illegal. And every official involved—from the greenest rookie cop to the police chief, from the staff of the District's corporation counsel to the mayor, and from junior lawyers in the Justice Department to the Attorney General and the President—could not help but know that the most basic Constitutional right of due process of law, which lies at the heart of our system of criminal justice, was willfully disregarded from the moment that the first arrest was made until the last prisoner was released.

Chief Wilson, who is widely regarded as one of the most skillful and decent police chiefs in the country, took entire responsibility for suspending the field-arrest forms and ordering the mass arrest. It would be difficult to find anyone experienced in the ways of government who believes that these moves were made without prior approval by the Attorney General, with whom Wilson spent the better part of the Saturday before the arrests, and by the President, who had vowed that the protesters would not be permitted to close down the city for even an hour. "After all, the federal government is immediately and finally responsible for what goes on here," a judge who sat on many of the Mayday cases said afterward in private. "It is utterly inconceivable that a policeman would be allowed to make unprecedented decisions of that magnitude. However, it is not inconceivable that he would be allowed to take the blame." Time after time that day, Wilson was observed watching his men behave illegally and doing nothing about it; for example, they repeatedly ordered people, demonstrators and passersby alike, to move on, and then arrested them when they did. "Wilson was therefore guilty of openly flouting the Constitution," the judge went on. "Since he did that in full public view, he must have known that he had his superiors' full support. That proved to my satisfaction that a high-level decision had been made to arrest as many people as possible."

On May 4th, thirty-eight hundred more people were arrested, over half of them for sitting down on the street in front of the Justice Department. Another judge, who happened to be on hand, later described what he had witnessed. "The demonstrators were orderly and peaceful," he said. "They



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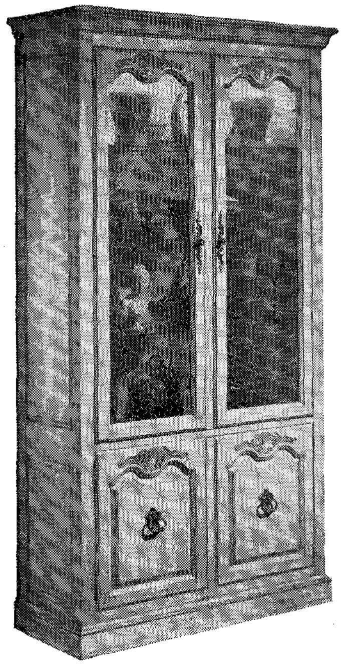

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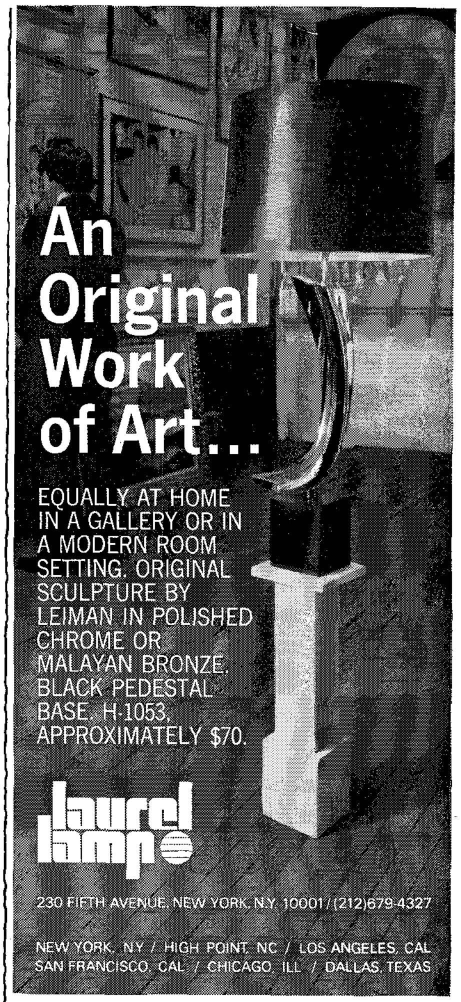
came there by prearrangement with Chief Wilson, who had led them in an orderly fashion down the street. When they were all jammed in before the Justice Department, he waved them to a stop, and they sat down. Then, suddenly, the police came out of hiding in buildings at either end of the Department and slid across the street like two doors, boxing in the crowd. They put up barricades and ordered everyone to disperse. When some of the demonstrators tried to obey, they were arrested for crossing police lines. Then some of the cops who had taken off their nameplates waded in and started clubbing the kids on the perimeter, who sat there, unresisting, and took it. When no one fought back, the cops stopped beating them, and then everyone was arrested. This was a legal gathering—an expression of every citizen's right to petition the government for a redress of grievances and to speak and assemble freely. But by some sudden flick of an official switch it was all made illegal, without a shred of justification under the law. Every policeman who arrested anyone there ignored the law. So did Jerry Wilson, who gave the order. And so did the Attorney General, who was watching from a balcony at the Justice Department and didn't lift an eyebrow at this public rape of the people's rights." On the following day, fifteen hundred more people were arrested, twelve hundred of them on the steps of the Capitol, where they had gathered, peaceably and without any threat of violence, to listen to anti-war speeches by three members of Congress. Without warning, this crowd—or audience—was also rounded up and taken off to jail.

Of course, the Mayday Tribe's attempt to stop the government from operating was itself illegal. It was also foolish, and it produced some extremely ugly and senseless acts of violence. In a speech before the Rotary Club of Cleveland a month later, Deputy Attorney General Richard Kleindienst described a long list of these to demonstrate his contention that the government had been forced to respond as it did. Undoubtedly, each act that he mentioned had actually taken place. But his speech, entitled "Mayday Fable and Mayday Fact," contributed more fable than fact to the popular legend about the event by implying that his catalogue was typical of "this vicious and wanton mob attack." Such behavior was no more typical of the protest than the occasional outburst of brutality committed by



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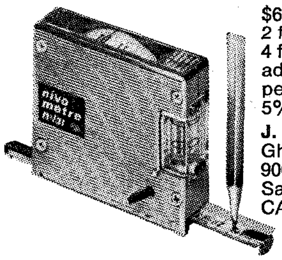

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some officers was typical of the Washington Police Department. (Most of the violence that Kleindienst described occurred in Georgetown, and it was largely due to a lack of forethought on the part of the police there. They failed to have enough men on hand at the spot where the greatest concentration of young people was bound to be—the vicinity of Georgetown University—and although the police were outnumbered, they provoked a confrontation unnecessarily, and at the same time neglected to cordon off the small area involved, some ten blocks in all, or to reroute traffic entering it by way of the only through street in that part of town.) In any event, word had gone out from the Mayday organizers to campuses around the country that anyone who had violence in mind should stay away from the demonstrations, and while some of those who turned up assuredly were bent on violence, the consensus was that their number was probably one or two per cent of the total—some two hundred to four hundred hard-core radicals in all. As for the claim that the government's dragnet arrests had been necessary, most experienced observers were convinced that if the actual lawbreakers had been handled calmly under the field-arrest-form system, government workers would have been delayed in getting to work by, at most, an hour—the kind of delay that is ordinarily caused by a heavy rain or a light snow. "But the President had vowed that there would be no stoppage of the government, even for an hour, and he kept his word," one observer said a few days later. "God knows what he might do if there were a real emergency."

The police and the Administration were fully apprised of most of the demonstrators' plans, because several weeks earlier the Mayday organization had widely and openly distributed a twenty-four-page booklet called "The Mayday Tactical Manual," which described in detail the methods to be used during the protest. Early Sunday morning, the day before the mass arrests, the police gave the protesters four hours to break up their encampment in West Potomac Park. Almost all of the people there obeyed, and on their way out of the park their leaders posted hand-lettered and mimeographed signs on trees notifying everyone, including a legion of undercover agents, that such-and-such a state group would meet at such-and-such a place elsewhere in the city at such-and-such a time. When these meetings took place, again with undercover agents present, they were

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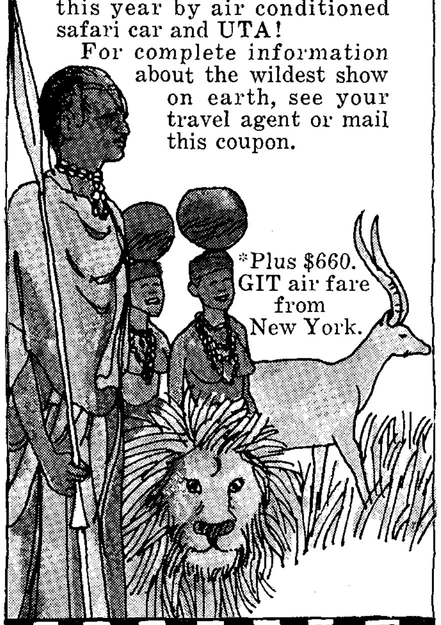

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devoted to discussions of the specific targets for the next morning. Everything was talked over openly and each plan was voted on, communal fashion, in each group. Most of the plans involved little more than elaborate practical jokes; for instance, an especially popular one was for several demonstrators to pretend to look for a missing contact lens in the middle of a key intersection during rush hour. A more serious proposal was that trash containers on street corners and loose materials at construction sites be used to block traffic. Despite these forewarnings, neither city nor federal authorities took any steps to remove the containers or guard the sites.

One lawyer who served as a congressional observer rose at 5 A.M. on May 3rd and proceeded to drive around Washington to see what was happening. "Between six and seven o'clock, I made a complete circuit of all the city bridges, where the main trouble was expected, and found practically no trouble," he reported later. "At one small exit, about sixty kids were sitting down on the ramp. I was the first motorist who was stopped. After a couple of minutes, they got up and left in a group. If they had had any kind of a plan at all, they would have detailed twenty people or so to stay and cut off that exit, while the rest went on to do something else. But apparently they only wanted to stay together. They were just kids, with no plan, no coördination, and certainly, in this particular case, with no vicious, wanton aims in mind. If they had planned to sabotage cars, they would have disabled mine, but they made no attempt to. When they left, they got tear-gassed—at that point, for doing nothing illegal. Then I drove around the grounds of the Washington Monument half a dozen times. Periodically, a few demonstrators would go out and sit down in the street, and the police would tear-gas them—again unnecessarily, because it would have been a simple matter to arrest them, without gas or violence or even much delay. As for the trash cans that got so much publicity, I found that most drivers simply stopped, got out of their cars, removed the cans, and drove on. There was almost no delay anywhere. In fact, because the presence of so many policemen discouraged double parking and illegal turns and such, most people got to work more quickly than usual."

Afterward, the police contended that if the field-arrest forms had not been dispensed with officers would have had to spend more time processing than arresting people. "That claim was based on the assumption that *all* of the demonstrators were going to break the law sooner or later, so they *all* had to be arrested," the same lawyer commented afterward. "But that was a wild assumption, because a lot of the kids were just out for a lark and would have fled at the first sign of a real bust—at least in the areas I observed. If the arrests had been confined to those who actually broke the law—a fairly simple matter—that would have scared off many of the others and reduced the problem to a manageable size." He went on to point out that while the number of demonstrators was limited to around twenty thousand at the outside, and the number of key intersections and bridges they could hope to tie up was limited to perhaps twenty, the number of troops available to Chief Wilson was, in practical terms, unlimited. "Wilson could have had all the troops he could possibly have used deployed wherever he wanted to keep the traffic moving," the lawyer added. "But it seems that he was unwilling to admit that his men couldn't handle things alone, so he ordered the mass arrests. At that point, he had to make a choice between violating the President's orders or the Constitution."

Apparently, it was also a case of official reliance on unreliable intelligence agents, who reportedly fed their superiors' worst fears by submitting as facts the kind of hysterical rumors that are most commonly the work of *agents provocateurs*. The only intelligence network that was worse than the Police Department's was the Justice Department's. "No one high up in the Department seems to know that you can pay small prices for big gains," a former employee in the Department said shortly after leaving there a year ago. "They have no imagination, no experience, no skill. And although they're supposed to be tough, cool guys, they jump out of their skins at the slightest shadow. Their fears are always political fears, and they are so committed to their impressions that they can't escape from them, whatever the evidence to the contrary. For example, Kleindienst later charged that there had been an international threat involved in the Mayday affair, because a few members of the crowd there had gone to Hanoi earlier to talk to North Vietnamese students, and one had also gone to Paris to talk to the North Vietnamese peace negotiators. It's difficult to believe that a grown man could get up and say that sort of nonsense—until you remember that he was one of Goldwater's campaign managers in 1964 and is a real Red-menace type. Of course, most of the intelligence material he relies on comes from F.B.I. agents, and they don't understand the simplest things. Shortly after Mayday, several hundred lawyers came down from Wall Street to protest the invasion of Cambodia. They were all dressed in three-piece Brooks Brothers suits and were carrying briefcases, and the F.B.I. men tried to infiltrate them while still wearing the beards, purple shirts, and bell-bottom trousers left over from Mayday."

Having ignored due process of law in arresting and imprisoning the Mayday people and anyone else who happened to be in the area being swept, the Administration proceeded to ignore the Constitutional and human rights they were entitled to as federal prisoners. The detention centers were human stockyards, or worse. They were dangerously overcrowded, some to the point where mass hysteria or violence was a constant threat; there were few beds or blankets, sanitary facilities were inadequate, and the filth, stench, and danger of influenza and hepatitis went unchecked. The government claimed that it was doing its best—to make certain, one critic remarked, that the prisoners would not be in a hurry to protest again. One judge took a look at the worst place of all—a cellblock under the Superior Court Building, where six hundred people were crammed into cells built to hold a quarter as many—and ordered that they be transferred at once to proper quarters, and officially stated that they had suffered "cruel and unusual punishment and irreparable injury." During the five days that demonstrators were detained, lawyers were denied access to most of the detention centers for protracted periods. Where conditions were the worst of all—in the cellblock—the police refused to allow lawyers from the District of Columbia Public Defender Service, the American Civil Liberties Union, and other legal-aid organizations in to confer with prisoners for nearly a day, on the ground, as a representative of the Police Department later testified under oath, that they gave the prisoners undesirable advice and were unwilling to coöperate with the police. Kirby Howlett, a Public Defender Service attorney who regularly worked in the cellblock during ordinary times, finally got admitted there, along with one other lawyer, on a court order. "Nobody has ever had so many Constitutional rights vio-

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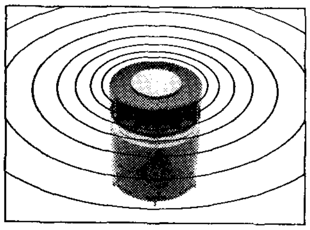

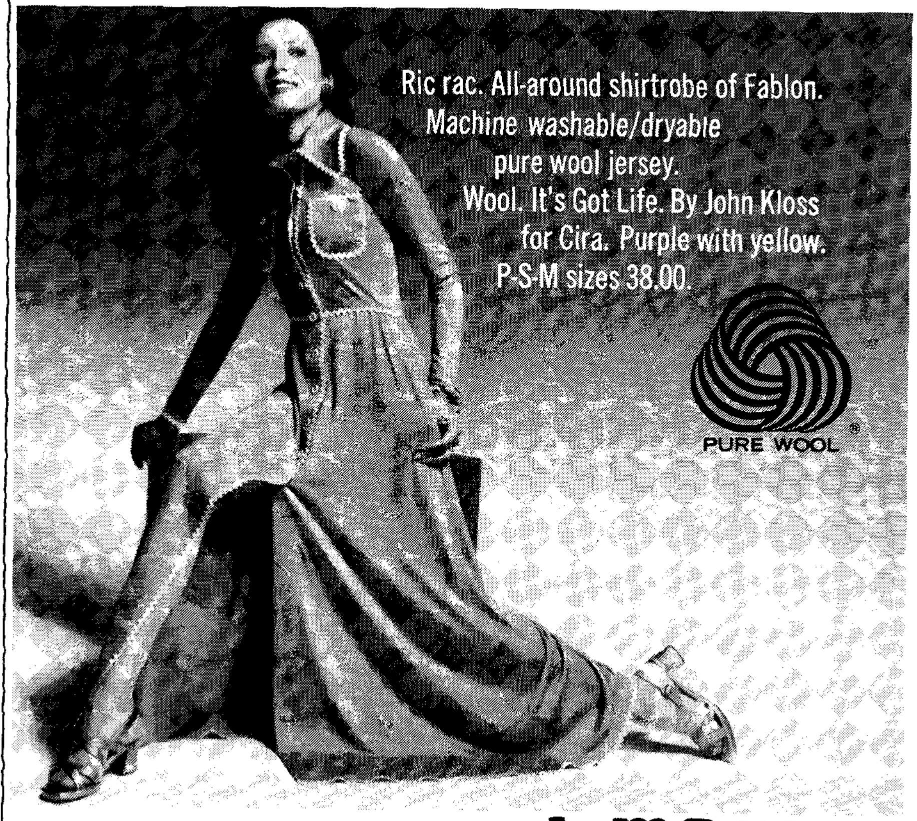
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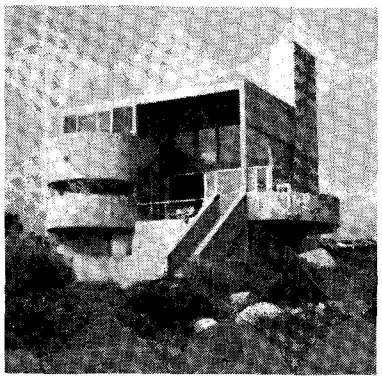

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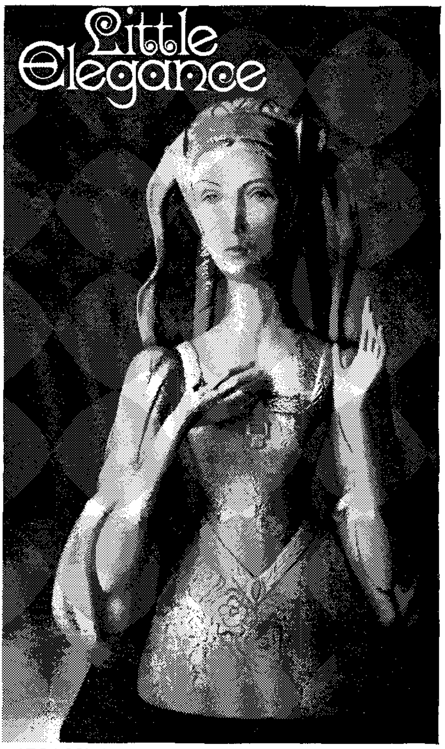
lated in this town before," he said afterward. "On the day of the mass arrests, I saw many, many examples of police brutality. Cops clubbed demonstrators who hadn't done anything. If the cops couldn't catch somebody who had just broken the law, they'd club the nearest person, sometimes a demonstrator, sometimes just a passerby. But the cellblock was the worst thing I'd ever seen. The police there were full of hatred. Some of them whom I'd known for years and considered friends asked me why I wanted to help these rotten Commies—why did I want to stay in this filth? They suggested that I leave, and let them do the job that had to be done. I had expected to find a bunch of hell-raising kids spouting obscenities—the kind that the papers and TV had concentrated on—but most of them were decent, straightforward kids. They were militant, but they weren't at all radical or even sophisticated in terms of politics or political protests. But the police had a hatred for them unlike anything I'd ever seen before—far worse than their reaction to blacks during the 1968 black riots or even to black cop-killers. I had nightmares afterward—here it was, unbridled police power encouraged by the highest authority in the country."

To process the seven thousand people arrested on May 3rd, the Justice Department that night sent over some of its lawyers, who were generally young and inexperienced in such procedures but willing to help out after they were told that their assistance would enable the young people to obtain their release and be sent off to find hot food and warm beds. It wasn't until these lawyers had been processing prisoners for several hours that one of them realized what he was actually doing on instructions from his superiors in the Justice Department—falsifying arrest records. When he told his colleagues of his discovery, several of them immediately switched over to the legal-aid side and began advising the prisoners not to accept the Justice Department offer. One of these lawyers later testified under oath about what he had been told to do by the Department. First, he said, they were instructed to fill out an ordinary arrest form by writing down all pertinent personal data about the prisoner at hand. Then under "Location of the Arrest" they were to write "D.C.," under "Type of Premises" they were to write "Public street," under "Specification" they were to write "Arrested during demonstrations in D.C. on May 3, 1971," and under "Arresting Officer" they were to write the name and badge



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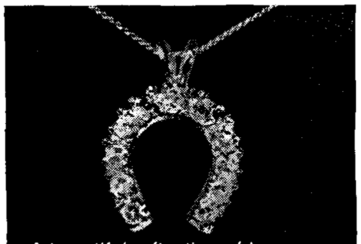

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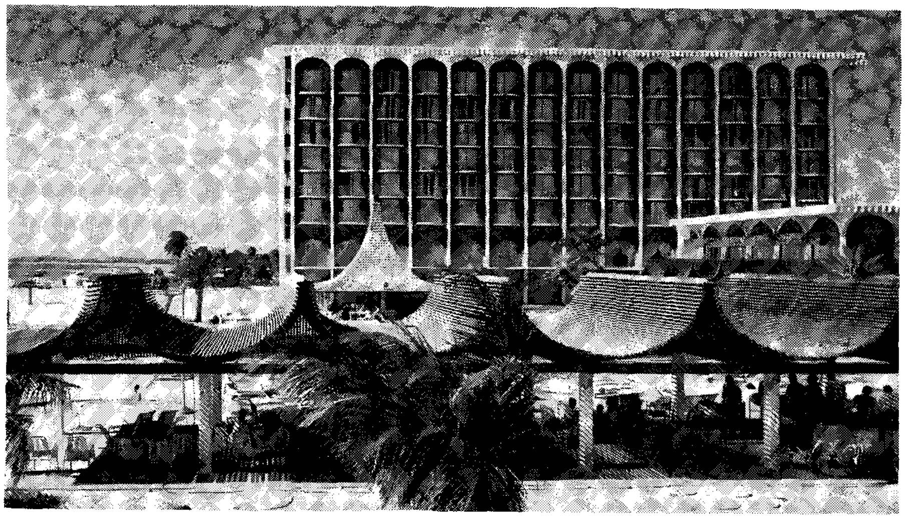
number of one police officer, taken in rotation from a list of seven. Of course, the absence of specific details rendered the forms legally worthless (that is, once a judge saw them), and the arbitrary choice of arresting officers made them as unlawful as the arrests themselves. If any doubt remained about the Justice Department's determination to keep the protesters under its control as long as possible, law or no law, the betrayal of its own young employees, who by concocting official records may have committed far more serious crimes than any that the demonstrators were accused of, finally settled it.

While the police and the Justice Department's highest-ranking members were violating the letter of the law, the courts were violating its spirit. The District of Columbia Superior Court, which was set up by the court-reform part of the D.C. Crime Bill, was the court that was immediately in charge of the Mayday cases during the early stages. Its chief judge, Harold H. Greene, who had formerly served in the Civil Rights Division of the Justice Department in the Kennedy Administration, was known among his fellow-lawyers as both capable and decent. As soon as the District of Columbia Public Defender Service learned of the mass arrests on Monday, May 3rd, it hurriedly drew up a petition for a writ of mass habeas corpus and submitted it to Judge Greene. He heard arguments by both sides, the other side being the D.C. corporation counsel, under direction of the Justice Department in this case, and then, at eleven o'clock on Monday evening, granted the request—to take effect twenty-one hours later. That got the government through the next two crucial periods of rush-hour traffic—Tuesday morning and Tuesday evening. "Considering that the arrests were clearly illegal and that the defendants were being illegally held in horrible conditions, his decision was obviously based on political rather than judicial concerns," one defense attorney said later. "Judge Greene violated the whole purpose of habeas corpus, because he put himself in the role of an executor of public policy rather than in the role he was supposed to fill—the judge of that policy on objective legal grounds. To my mind, it's far worse for a judge to act as he did than it is for a cop to club an innocent person." At another point, defense attorneys pleaded with Judge Greene to order that they be allowed in to give the prisoners counsel, and, after a long delay, he ordered that two lawyers be allowed into the cellblock to consult with six hundred



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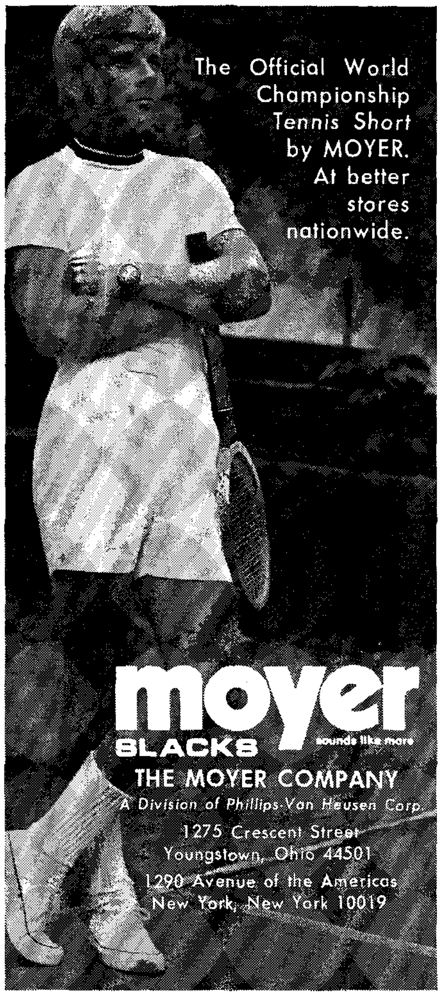
people for one hour. Ordinarily, anyone accused of disorderly conduct in Washington—the charge that nearly all the demonstrators were held under—is released upon posting a ten-dollar bond. Aware of this, the protesters had come to town with at least ten dollars apiece. Suddenly, after a meeting in the chief judge's chambers, judges of the Superior Court began setting bail in uniform amounts—usually two hundred and fifty dollars—and bail bondsmen uniformly refused to deal with demonstrators.

To get the young people out of detention, the Public Defender Service finally informed Judge Greene that it would try to persuade them to be processed if he would order that the processing not constitute an arrest record and that no records be sent on to the F.B.I., since it routinely distributes these on request to local police departments and to credit bureaus and banks; defense lawyers hoped to forestall this in the expectation that the cases would ultimately be thrown out for lack of evidence. Greene issued the order requested, but then the corporation counsel appealed the decision to the District of Columbia Court of Appeals, and this court overruled Greene. In the meantime, many of the demonstrators who had heard about Greene's order had agreed to undergo processing, and now had police records. "There was absolutely no basis in law for the Court of Appeals' order," Barbara Bowman, director of the Public Defender Service, said afterward. One widely accepted explanation was that the court knew the Justice Department wanted the fingerprints and photographs of all the demonstrators, and wasn't going to stand in the way; in the course of the litigation during that week, it seemed clear that, next to keeping demonstrators off the streets, establishing arrest records for them was the main aim of the government. "It was terrible to stand up there in court," Mrs. Bowman said, "knowing that you were absolutely right in appealing to the judges to understand that not far away thousands of people's basic rights were being abused and to suddenly realize that nothing was going to be done, because no one cared." Although there is no indisputable evidence that the Administration compelled, or persuaded, judges to delay matters, when one of them was privately asked if reports of such pressure were true he answered, "I can give personal assurance that they are."

On May 6th, a spokesman for the Administration announced that Presi-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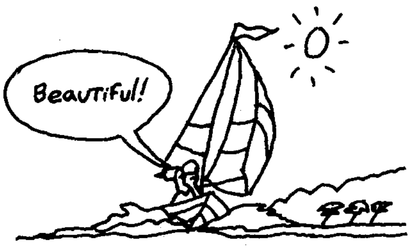

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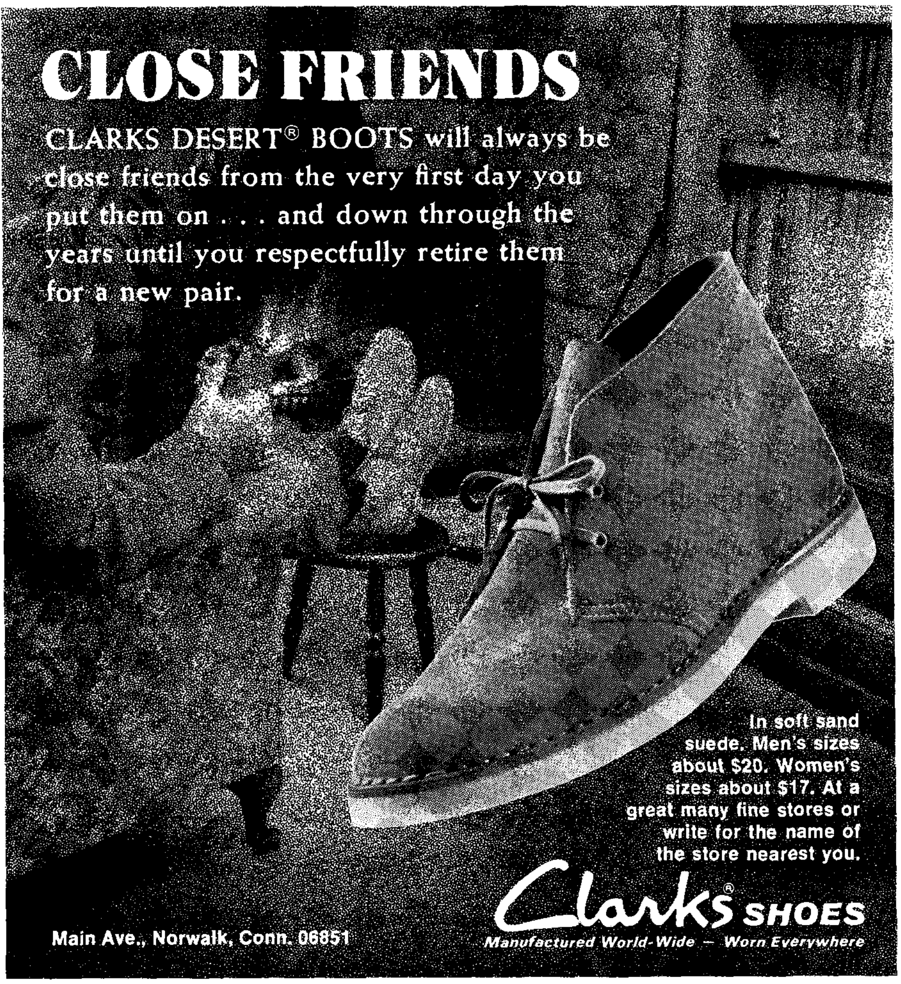
dent Nixon was "totally satisfied" with the way the Mayday demonstrations had been handled, and added that no evidence had been produced to show that any unlawful arrests had been made. Two days later, the President met with Chief Wilson and commended him for acting "with firmness but yet with restraint." Two days after that, Attorney General Mitchell, in a speech before the California Peace Officers' Association, called the demonstrators "rights robbers," compared them to the Brown Shirts in Germany in the nineteen-twenties, praised "the valiant Washington policemen," and urged his listeners to adopt the same practices in the event of mass civil disobedience and disorder in their cities. During a Presidential press conference three weeks later, Mr. Nixon responded to a question about the affair by saying that the government has always protected the right to lawful dissent. Then he added, "But when people come in and slice tires, when they block traffic, when they make a trash bin out of Georgetown and other areas of the city, and when they terrorize innocent bystanders, they are not demonstrators, they are vandals and hoodlums and lawbreakers, and they should be treated as lawbreakers." To be sure, those who acted in such ways should have been treated as lawbreakers. But the point was that they weren't. By treating the guilty and the innocent alike—illegally—the government made it impossible to prosecute those who should have been prosecuted. It also probably turned many ordinary dissenters into confirmed radicals. When Ralph J. Temple, legal director of the A.C.L.U. in Washington, talked to a group of prisoners who were held in the Washington Coliseum, they kept asking him what had happened, why couldn't they use a telephone or get legal help. "Yes, you have those rights and they're being violated because the court system has broken down," he answered. One of the prisoners nodded, and said, "You see? The Establishment has won, as we've been telling people like you all along. You tell us to work within the system, and when we try to, *they* ignore the system. Oh, they may throw us a sop now and then, but when it comes to the crunch they smash us with naked power."

Apparently, President Nixon had not learned much from his hasty prejudgments of Charles Manson and Lieutenant William Calley in earlier press conferences, for when he charged that the Mayday protesters who had been arrested were lawbreakers more than



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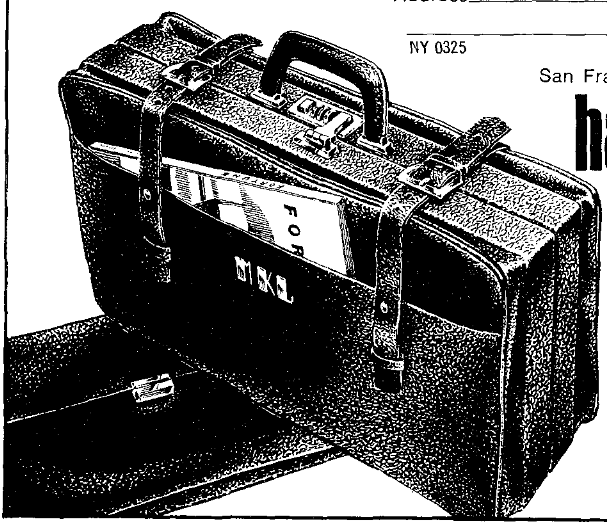

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four thousand cases were still pending before the courts. Of the first two thousand defendants, one was found guilty. In the cases of nearly twenty-five hundred other defendants, which were dropped for lack of "adequate evidence," the A.C.L.U. volunteered to take on the task of notifying them that they did not have to appear for trial if the prosecution would provide a list. It did—one that was partially illegible and lacked a large number of addresses. When the A.C.L.U. finally got a proper list, it learned from some of the people on it that their inquiries to the Superior Court clerk's office about the state of their cases, after the order to drop all charges had been issued, had brought the uniform response that they had to appear for trial. The A.C.L.U. complained to the court, which explained that this had been an error and promised that it wouldn't happen again. Afterward, several A.C.L.U. employees telephoned the court, said that they were defendants on the list, and asked about their cases; they were all told that they had to appear for trial. Whenever defendants whose cases had not been dropped failed to appear for trial, corporation-counsel attorneys invariably asked the court to forfeit their posted bonds and to file criminal records; this resulted in about two thousand technical convictions. Another six hundred people pleaded either guilty or no contest—according to the A.C.L.U., under coercion. Of the other thousands of people arrested and detained, sixty-one were finally convicted—all on minor charges. In the end, the United States Circuit Court of Appeals threw out all the cases remaining that had not been settled one way or another, and directed that criminal records not be sent to the F.B.I. or, if they had already been sent, that they be returned.

SHORTLY before the Presidential campaign of 1968, Mr. Nixon remarked that any American President's overriding concern must be foreign affairs and that he can leave domestic matters largely to his Cabinet. As misguided as that outlook may be—no leader can deal successfully with other nations unless he has dealt successfully enough with his own to have its people behind him—it suggests that President Nixon may not have been fully aware of what his subordinates in the Department of Justice were actually doing when they devised the new anti-crime laws or when they put down the May-day threat. Indeed, it is even possible that neither he nor the deputy to whom he gave the greatest trust and responsi-

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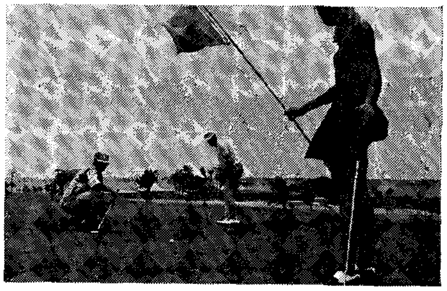

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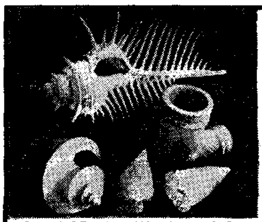

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bility in domestic affairs, former Attorney General Mitchell, realized what such policies could lead to. As largely political men, they have often seemed to view the power the people have given them to do what is fitting as power to do as they see fit. To such men, who have demonstrated an inclination to consider the immensely complex forces of the nation solely in terms of short-run political gains or losses, the Constitution must at times seem an obstacle to their ends rather than a bulwark of the people's freedom. And it is conceivable that the President and his Attorney General never fully acknowledged to themselves one price they paid for the support of the right wing in 1968—the appointment of Goldwater, Thurmond, and Reagan men to key places in the Administration. Yet these men, too, undoubtedly believe in their cause—to preserve America as they understand it. For instance, Richard Kleindienst, Attorney General designate, who was in daily charge of the Department of Justice and *had* to know what his subordinates were doing, is apparently convinced that a few thousand radicals on the opposite side, with no power and no support from the public at large, threaten to bring down the nation. None of these officials has acted or spoken in any way that would demonstrate an understanding of how fragile a system our democracy is. If they do in fact understand that, then their official actions—in pressing for laws that can now be used to crush civil liberties, in prosecuting leaders of the anti-war movement to still dissent, in harassing the press to end criticism, in invading the privacy of tens of thousands of citizens to catch a handful of crooks, in illegally suppressing protest to show firmness—must be taken as signs that they see the system's weakness as an opportunity, not a peril. The system has survived this long largely because no President before now has used, or allowed to be used in his name, the people's deepest fears to divide them and to turn the majority's tyrannical instincts against his political enemies. No one can say that the President has willfully set out to undermine the Constitution that he swore to uphold. But how would the results be different if he had?

—RICHARD HARRIS

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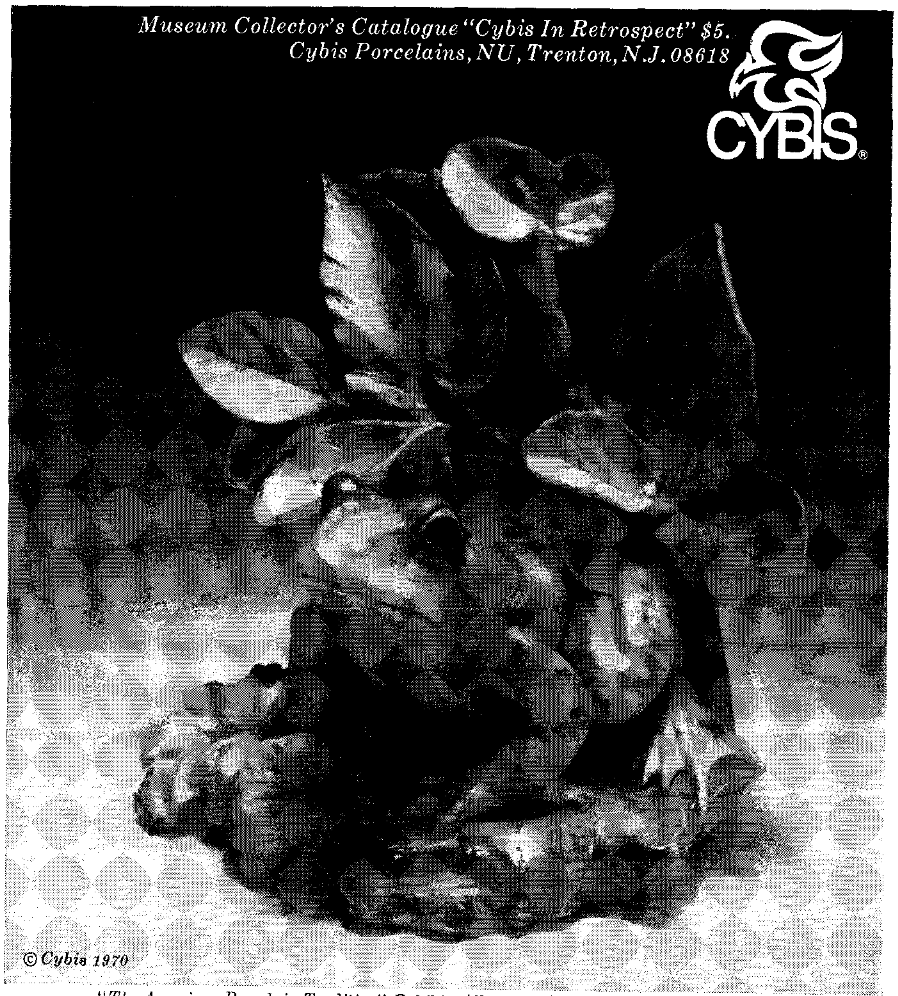

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THE THEATRE

FAMILIAR TROUBLES

WHAT a hairy, solemn, trudging, and trumpeting workhorse of a play Clifford Odets' "The Country Girl" is! It tries so hard, and even when it stumbles it stumbles straight forward, like a beast on a treadmill, without choice. Difficult to believe that a play so old-fashioned in form, attitude, and language could have been written as late as 1950; it is in nearly every respect a specimen of Edwardian craftsmanship, coarsened and loosened and crammed full of notions of good theatre that would have been the discarded finger exercises of a Clyde Fitch. The fact is that Odets has always been an absurdly overpraised playwright, and it is odd, looking back over his career, to recall the wringing of hands that took place when he seemed to abandon a lofty purpose on Broadway for the fleshpots of Hollywood; the dream factory was his proper milieu, and if he did not prosper there as an artist it is because there was little of the artist in him capable of prospering anywhere. His gift was to write on a level of pathos a scant notch or two above "The Jazz Singer," and "The Country Girl," now being given a rip-roaring revival at the Billy Rose, has many of the hallmarks of a good-bad movie of the Golden Age. That it got excellent reviews in 1950—to say nothing of 1972!—is in part because Odets' hand-me-down vulgarities of thought and expression have been regularly and most peculiarly forgiven on the ground that his heart was in the right place and his fustian so playable. Well, well, his is indeed a strange case, and I won't dwell upon its not very edifying intricacies.

The form of "The Country Girl" is that old reliable, a play within a play. Its plot concerns a drunken has-been of an actor and the attempt on the part of a young director to bring this narcissistic ruin back up to stardom, and perhaps even to manhood. The actor has a wife, whom the director at first takes to be his adversary; as the action of the play proceeds, he learns otherwise, and by the final curtain the actor is enjoying a triumphant comeback, the director is in love with the actor's wife, and that long-suffering creature, though she will not return the director's love, may nevertheless give up the thankless task of serving as an alcoholic's nursemaid. Maureen Stapleton is splendid in the role; she brings far more intelligence and subtlety to the character than one can discover in the lines she utters. George Grizzard is the director, and ably conveys the nervous uncertainty of a bright young man at the beginning of his career, striving to make of ambition and virtue a single attribute. Jason Robards plays the broken-down actor. He must be very tired of playing drunks by now, and if he fails to convince us that a superior actor lies concealed inside the maudlin husband, the fault is certainly the author's. Joe Ponazecki is charming as a playwright, Roland Winters huffs and puffs his way through his role as a producer (written as a caricature, and a clumsy one it is), and Eda Zahl as an ill-trained ingénue is welcomely comic. The settings for "The Country Girl," squalid and authentic, are by Douglas W. Schmidt, and the direction is by John Houseman. —BRENDAN GILL

OFF BROADWAY

A Tale of Two Brothers

"A BALLET BEHIND THE BRIDGE," the second production this season of the Negro Ensemble Company at the St. Marks, is set in a large multiracial slum in Port of Spain, Trinidad, the birthplace of the playwright, Lennox Brown. The story is complicated, ranging back and forth in time and place, but essentially it is about a studious young man named Joseph who is leaving the slum to take up a scholarship at City College, in New York, on the night that his brother Mano, a condemned murderer, has broken out of prison. During the first act, we meet a variety of slum dwellers, most notably a trio—a black street-sweeper, an East Indian bottle vender, and a Chinese store owner—who function as Shakespearean clowns and self-appointed commentators. We also meet the mother of the two young men, who is fiercely determined that nothing on earth will keep Joseph off the plane to America and impede his escape from the ghetto. Act I is dense and elaborate—much too elaborate, although the company, under Douglas Turner Ward's firm direction, makes the action clear most of the time—and it is compounded of first-rate invention and ninth-rate fantasy, of good writing and poor writing. The second act is another matter entirely—far more controlled and far more effective. A scene that takes place between the brothers in which each tries to express his pride in the other, and in which all the love and loyalty between them, though unspoken, is almost palpable, is very strong. It is also a triumph for David Downing, as Joseph, and Gilbert Lewis, as Mano. In another fine scene, Joseph shouts to his urging, pushing mother that there *is* no way to leave the ghetto, and suddenly the stage is crowded with people; the ghetto has sprung to life in much the same fashion that the city of London did in "Oliver."

There is a lot that is wrong with "A Ballet Behind the Bridge"—the play is not nearly strong enough to carry all the playwright's messages, and it badly needs editing and deflating—but there is a lot that is right, too. Mr. Downing, who has been doing fine work with the N.E.C. for years, has a part that is worthy of him. His intellectual Joseph, torn by grief for his brother, by his own guilt over the hypocrisy he feels he has had to assume toward the whites on the island in order to win the scholarship, and by his eagerness to get away, is a complex, fully realized characterization. Frances Foster, as the mother, is good, as usual; Lauren Jones, as an African queen, is delightful, also as usual; and David Connell, Adolph Caesar, and Stephen Cheng are amusing as the comic trio. Edward Burbridge's setting, with its ramps and steps and tunnels on the small, raked stage, fools us into thinking we are seeing a whole neighborhood.

"JAMIMMA," another black play, at the Henry Street, and a first effort by Martie Evans-Charles, is a puzzle, all right. I'm not sure I understood it, but if I did it is—for all its activity and melodramatic ending—primarily a character study of a young woman so compliant and timid that she appears to be half under anesthetic most of the time. She is a talented seamstress, but she refuses to open an African clothes shop, as her spunky sister suggests, being quite content to hold down a part-time job. She is also, as she says, a one-man woman, and her unfortunate choice is a drummer who is anything but a one-woman man. What plot there is turns on the machinations of her bitchy, pot-smoking, drug-deal-

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ing, double-dealing next-door neighbor, who offers boundless hospitality to the drummer and tries, time and again, to turn Jamimma's place into a *ménage à trois*. A half-crazy janitor wanders in and out at all hours, with a sawed-off shotgun in his tool chest, and it is the death of his nineteen-year-old son from an overdose that precipitates the play's melodramatic and sad finish. As a whole, though, the mood of the performance is casual, almost dreamy—a scene in slow motion makes perhaps the strongest comment of all on Jamimma—and there is always an undercurrent of drugs and evil.

Under Shauneille Perry's direction, the production has a style all its own, and the actors, many of whom are quite inexperienced, rarely make a false move. In the title role, a young actress named Marcella Lowery has the almost impossible task of making meekness interesting, and she succeeds pretty well in doing so. Dick Williams, last seen Off Broadway as Big Time Buck White, is entertaining as the drummer, cool almost to the point of numbness, although I had difficulty getting many of his lines. I had the same trouble with Lucretia R. Collins, as the slinky neighbor, whose treachery is often as funny as it is wicked. Roxie Roker, as the heroine's spirited sister, all but steals the show. As for the show itself, Miss Evans-Charles has written believable parts, giving her characters what sound like the right words to speak. I found much of the play remote, but I also found it better than merely promising. —EDITH OLIVER

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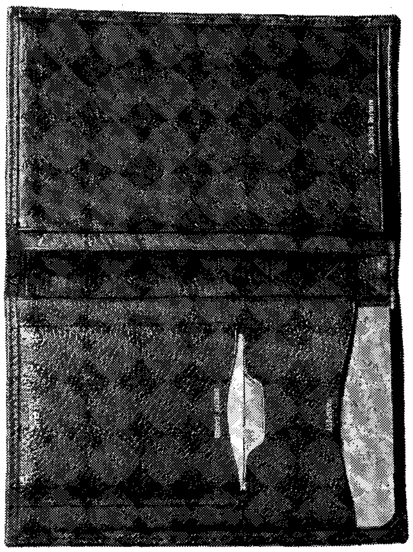

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MUSICAL EVENTS

Rags and Riches

A COUPLE of weeks ago, my colleague Whitney Balliett remarked that a renaissance of ragtime might be in the making. And, indeed, a strong revival of interest in the works of some ragtime composers is indicated by the New York Public Library's publication of a two-volume collection of the works of Scott Joplin, edited by Vera Brodsky Lawrence (who for many years was a well-known classical pianist) and with an introduction by Rudi Blesh. I have my doubts, however, whether a rebirth of the style will affect performing musicians. The conditions under which ragtime came about are very different from those today. I remember only the tail end of the ragtime era. It came roughly around the outbreak of the First World War, leaving a nostalgia that brought forth such highly sophisticated and decadent rags as Zez Confrey's "Kitten on the Keys." During what I remember of the ragtime era, at least one person in every family played ragtime. It was taught as a subject separate from classical piano. And the clattering keyboard was to be heard every time you turned a corner.

Ragtime had an aesthetic that was totally different from the jazz that was apparently contemporary with it in New Orleans and that swept into national popularity following the ragtime era. It was not an improvised music like jazz. It was written down and published, from coast to coast, and though it was unquestionably black in origin it was also written by countless white composers. I once made a collection of ragtime pieces, and I was astonished by the far-ranging spread of its publishers. St. Louis and Chicago, to be sure, had the biggest assemblies of ragtime publishing houses. But they existed in Denver, Kansas City, San Francisco, and Omaha, too. The "ragtime craze," as it was called, was a nationwide phenomenon. Its origins can be traced to about 1890; it reached a peak around 1905 or 1910, and began petering out shortly thereafter. The biggest factor in its decline was the phonograph, which had begun to make the work of jazz ensembles accessible to everyone. But ragtime lingered on for a time in the form of player-piano rolls,

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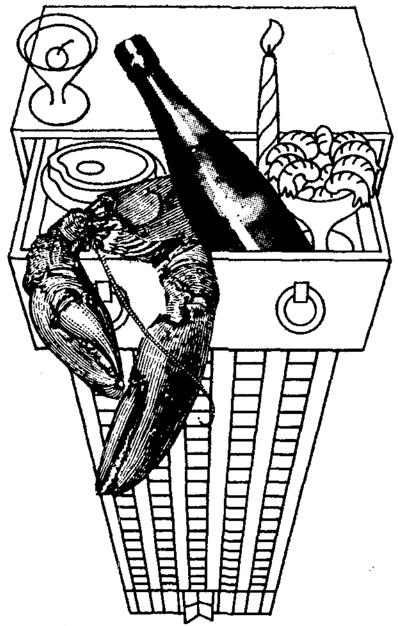

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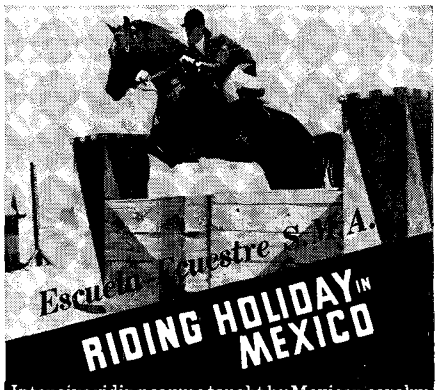

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which were remarkably well adapted to its preservation.

Pure ragtime differed in aesthetics from jazz in that it was entirely a pianistic art, and that it was composed exactly the way a Chopin mazurka or a Brahms Hungarian dance was composed. A rag was—like a Beethoven sonata, if more simple in form—a "composition" that could be "interpreted." There were, of course, examples here and there of ragtime played by orchestras. (The supposed introduction of ragtime to New York by Ben Harney, a white bandleader, at Tony Pastor's in 1896 must have been of this sort, for Harney used a quartet of instruments.) And in rare instances words were set to ragtime tunes. Long after the peak of the ragtime era, Irving Berlin wrote "Alexander's Ragtime Band," which was not a rag at all but which became a popular song. The pure rag, however, was almost never accompanied by words, and, indeed, singing a rag was a difficult and unrewarding procedure: the melodies went so fast that the pronunciation of words was awkward and, as a rule, unintelligible.

During the period in which these ragtime compositions were written, nearly every rhythmic formula subsequently exploited in jazz was used by the ragtime composer. The right-hand rhythmic patterns of ragtime, in fact, represented the most complicated rhythmic structures ever written down by American popular composers. Polyrhythm and syncopation, subsequently features of jazz, were elaborated to an extraordinary extent, and the right hand of a good ragtime writer scarcely knew what his thumping left hand was doing. That thumping left hand was important, because the rhythmic elaborations of the right hand were set off against it, and there would have been complete chaos without its steadying beat. People danced to ragtime, just as they were later to dance to jazz. Only the purists were to isolate both types of music from the movements of the human body and consider them as art.

The king of ragtime, as nearly everybody remembers or has been told, was Scott Joplin, an amazingly resourceful black composer whose first works date from the eighteen-nineties, and who went on composing with great vigor until about 1911. He is thought to have been born in Texas in 1868, and the first part of his creative life was spent in St. Louis, whence he made his way to New York in 1907. He was an educated musician, who knew all about harmony and perhaps something of

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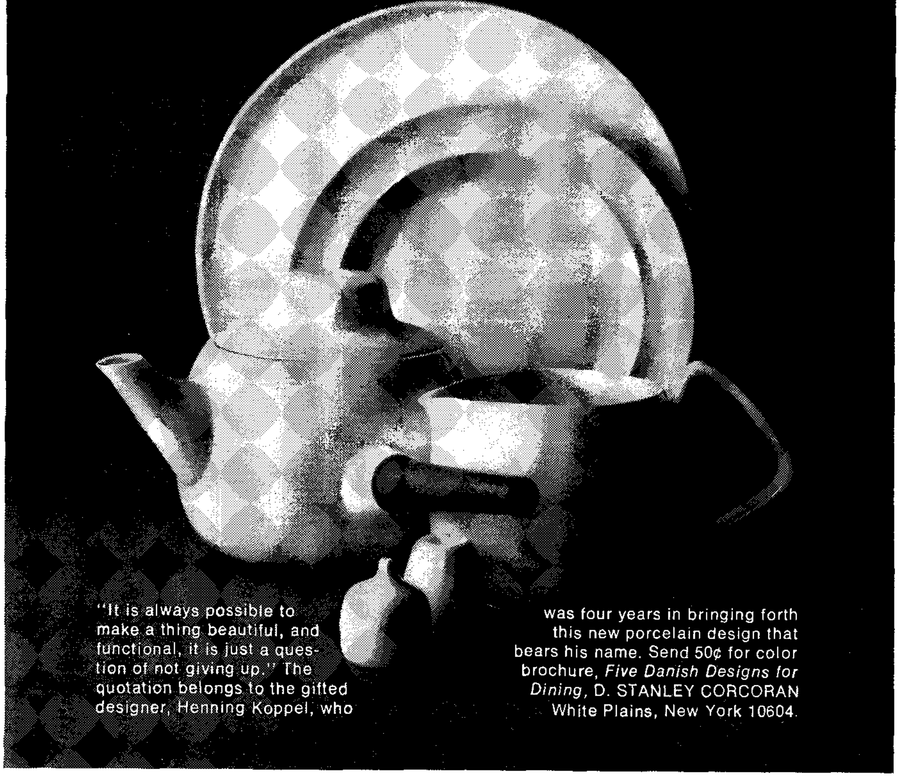

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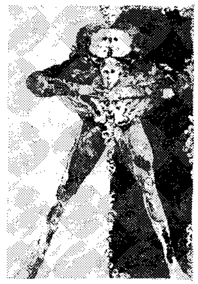

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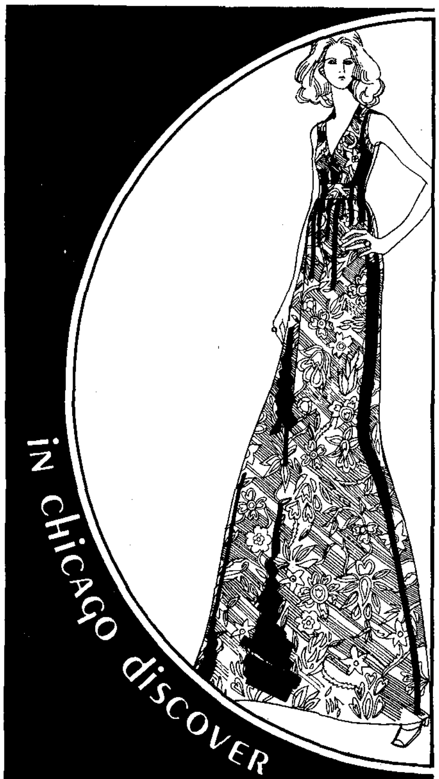

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counterpoint. He had numerous pupils, many of them white, and he wrote several operas. The first, "A Guest of Honor," and a quasi-opera, "The Ragtime Dance," were both written in ragtime. He spent the last years of his life in a futile attempt to get his major opera, "Treemonisha," published commercially. It was not a ragtime opera, and, to judge by the score, it was a delightful affair, with only a slightly black flavor. It had its first performance in Atlanta earlier this year, and was a notable success. (Joplin had published the work at his own expense, and had put on a concert version of it in Harlem in 1915, with no success at all. He died two years later, in Manhattan State Hospital for the Insane. He was a genuine example of the genius unappreciated during his lifetime.) His most famous, but not necessarily his finest, work was the "Maple Leaf Rag," which caused a furor all across the country.

On Wednesday night of last week, I made my way uptown to the McMillin Theatre at Columbia University to hear a concert of works by Scott Joplin, and I must say that the whole evening was an enchanting experience. It started with "Original Rags" (1899), then proceeded to "Rose Leaf Rag" (1907), "Scott Joplin's New Rag" (1912), and "The Entertainer" (1902), all played *con amore* by Cheryl Seltzer. "Rose Leaf Rag" made the greatest impression on me, because of the subtlety of its harmonies and the freedom of treatment of the left hand (which, for once, is not limited to thumping out the beat). These were followed by "Elite Syncopations" (1902); "Bethena—A Concert Waltz" (1905), an item of great sophistication, in which rag polyrhythms are applied to three-four time; "Wall Street Rag" (1909), which turned out to be a fine concert piece; and "Magnetic Rag" (1914), which I found a bit banal in spite of a few nice melodies. These were all played by Joel Sachs, a fine pianist, well attuned to the idiom. After that, things got more complex, and not necessarily more satisfying. Two vocal numbers—"The Pine Apple Rag Song" and "The Maple Leaf Rag Song"—proved that words are an intrusion in this art form, though a talented comedian named Harold Cromer made the most of them. After the intermission, there was a series of engaging choreographed items, with a troupe of eight dancers, costumes by Gail August and Lorna Lable, and choreography by Gail August and Olon Godare. "The Ragtime Dance" (1902) was performed with a small orchestral accom-

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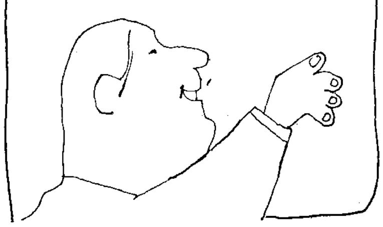

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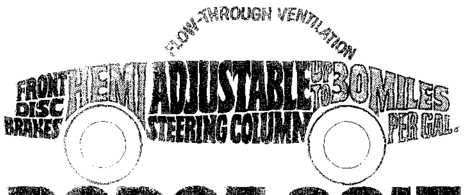

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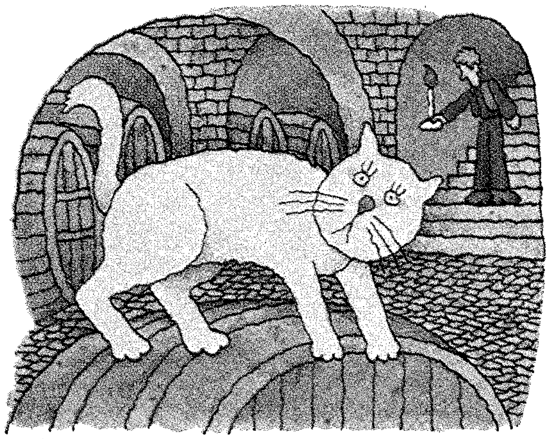

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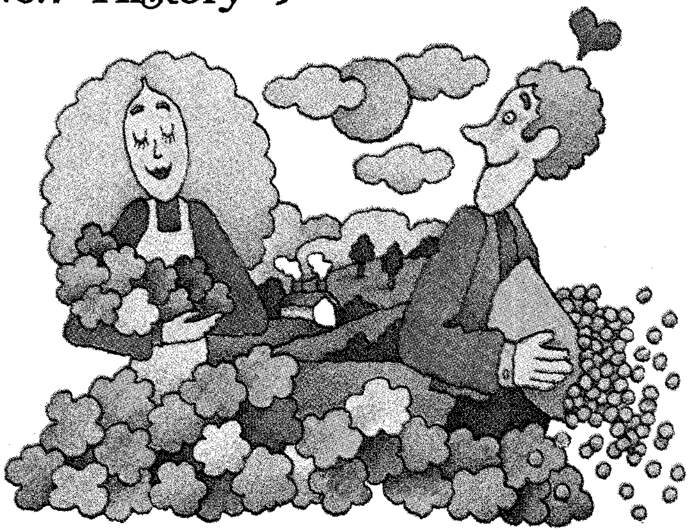
One Friday, Julius Kayser's mama (she was sort of a pest) said "A black cat ran into our cellar. Get it out."

Julius found a white cat and some old magazines—but no black cat. To keep mama quiet, he brought up a light, fruity wine he had just invented. Mama was snoozing so Julius gave the wine to the girl next door and got his first kiss (but that's another story).

You can find the black cat on the label of a light, fruity Julius Kayser Moselle Wine. The name is *black-cat-in-the-cellar* or—in German—Zeller Schwarze Katz (tsel'-ler-swartse-kats). Always a nice kitty.



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Once along the Moselle there was an exquisite maiden—light, sunny, with a scent of blossoms about her. Young Julius on his first grape-picking trip fell headlong in love.

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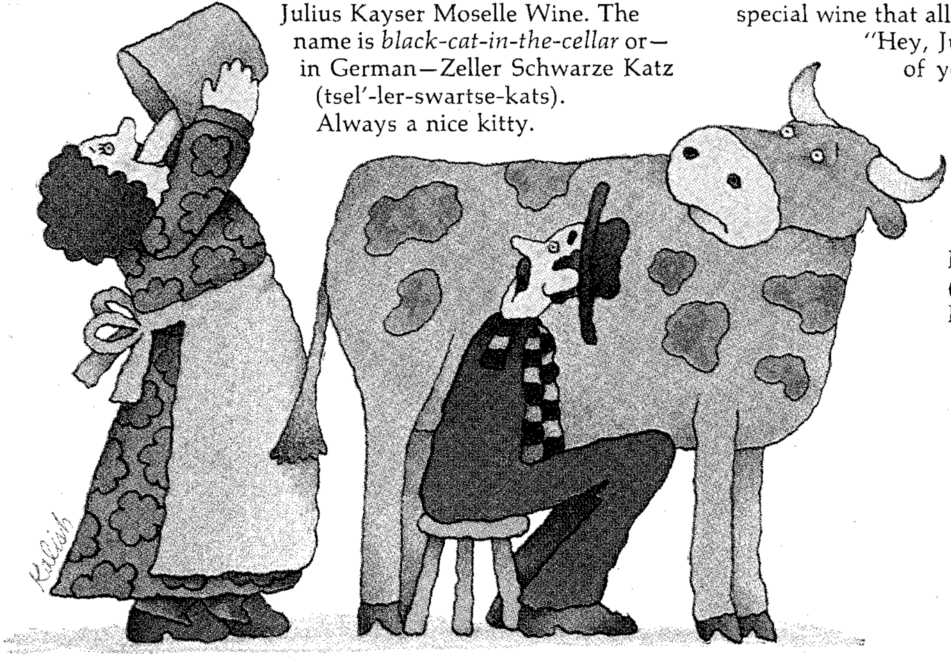

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paniment. It consisted mainly of group dancing, singing by the gifted Mr. Cromer, and choreography by Gail August. Finally, there were excerpts from "Treemonisha," which are perfectly lovely, with a fair-sized chorus conducted by Mr. Sachs and vocal contributions by Barbara Christopher, soprano; Clamma Dale, mezzo-soprano; Manny Vallejo, tenor; and Clarke Salonis, bass. While I enjoyed the last half of the program, it was the first half, with its pure pianistic ragtime works, that impressed me most. These works, and others like them, have become part of America's artistic heritage, and they are no mean examples of the art of writing for the piano.

ON Monday night of last week, I attended the piano recital of Michael Ponti at Alice Tully Hall—his first in this city. Mr. Ponti, an Italian-American pianist, had built up a great reputation in Europe and had made many recordings. He had been preceded by considerable publicity. I can only describe him as the loudest and fastest pianist I have heard in many years. His technical fluency is spectacular, and the power of his tone is such that a piano tuner had to work during the intermission to get the instrument's strings back into tune after this onslaught. At first I was somewhat beguiled. The power, created by muscular arms that suggest Charles Atlas, was something to hear. Beethoven's Sonata in C Major, Opus 2, No. 3, and Tchaikovsky's Sonata in G Major, Opus 37, were played with perfect technical assurance and with their basses pounded out as if they were being done by a steam hammer. Works by Rachmaninoff, Brahms, Scriabin, and Stravinsky followed. As the evening progressed, I began to realize that Mr. Ponti was playing everything in the same manner, without regard for subtle differences of style. I concluded that, though he is a phenomenon, he cannot really be ranked as an artist.

—WINTHROP SARGEANT

•

LOS ANGELES—(UPI)—Dr. Bernard Bender, a dentist, was found guilty yesterday by federal court jury of fitting young men with unnecessary graces so they could escape the draft.—*Philadelphia Evening Bulletin.*

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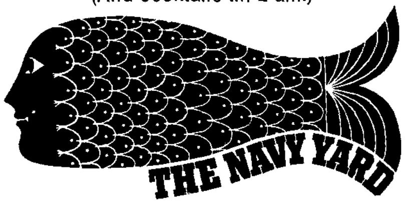

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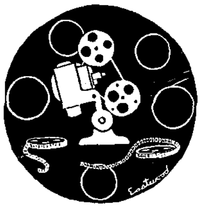
THE CURRENT CINEMA

Collaboration and Resistance



INEXPLICABLY, despite everything—the suicidal practices of the film industry, the defeat of many people of talent, the financial squeeze here and abroad—this has been a legendary period in movies. Just since last March: "The Conformist," "McCabe & Mrs. Miller," "Sunday Bloody Sunday," "The Last Picture Show," "Fiddler on the Roof," "Murmur of the Heart," "The Garden of the Finzi-Continis," "Cabaret," "The Godfather," and, of course, the films one may have major reservations about—the smash-bang cops-and-robbers "The French Connection" and the controversial "A Clockwork Orange" and "Straw Dogs." In addition: Jane Fonda's portrait of a call girl in "Klute," George Segal's wild, comic hustling junkie in "Born to Win," George C. Scott's bravura hamminess in "The Hospital," the documentary-style "Derby," the childishly primitive, touching, messed-up "Billy Jack," the casually diverting "Skin Game," and the comedies "Bananas" and "Made for Each Other." A reviewer could hardly ask for more from any art, high or popular, and that list shows how far movies have gone in blurring the distinction. And now "The Sorrow and the Pity," a documentary epic on the themes of collaboration and resistance.

The Hollywood war movies were propaganda for our side, and put us in the comfortable position of identifying with the heroic anti-Nazis. "The Sorrow and the Pity" makes us ask what we and our friends and families would actually have done if our country had been invaded, like France. Wartime France presents one of the most intricately balanced moral dilemmas imaginable, since, of all the countries occupied by the Nazis, the French were the only people to cave in and support a regime (the Pétain government, with its capital in Vichy) that actively collaborated with Hitler. That fact has been buried from sight in France, and a legend of national heroism has been officially encouraged; the government decided that the public was "not yet mature enough" to see this film on television. "Myths," according to the Gaullist official who made the decision, "are important in the life of a people. Certain myths must not be destroyed."

"The Sorrow and the Pity" is both oral history and essay: people who lived through the German occupation tell us what they did during that catastrophic period, and we see and hear evidence that corroborates or corrects or sometimes flatly contradicts them. A good portion of the material is no more than informed, intelligent television interviewing; what makes the film innovative is the immediate annotation of what has just been said, and the steady accumulation of perspectives and information. As the perspectives ramify—when we see the people as they are now and, in old snapshots and newsreel footage, as they were then—we begin to get a sense of living in history: a fuller sense of what it was like to participate in the moral drama of an occupied nation than we have ever before had. When history literally becomes the story of people's lives, we can't help but feel the continuity of those lives and our own. There's nothing comparable to "The Sorrow and the Pity." Yet the director, Marcel Ophuls, didn't need to invent a new kind of mirror to hold up to us; all he needed to do was to hold up the old mirrors at different angles.

The Second World War was heavily recorded on film, and Ophuls draws upon newsreels from several countries and also upon propaganda shorts designed to educate and inspire the citizenry. The bits are fresh—selected, it might almost seem at first, to make marginal points; even those of us who know that period on film haven't seen much of this material. A piece of Nazi newsreel shows captured black troops from the French Army as evidence of France's racial decadence; another bit, on how to recognize a Jew, shows a collection of photos, including a glimpse of an infamous poster of Ernst Lubitsch—which, it is said, broke his heart when he realized he was being used as the model of Jewish bestiality. Pétain, visiting a schoolroom, talking high-mindedly, is the model of rectitude. There are fragments that in context gain a new meaning: the viciousness of shaving the heads of the women who had slept with Germans is horrible enough without the added recognition that probably those who did the shaving had spiritually slept with the Germans themselves. Ophuls sustains a constant ironic interplay between the old film clips and the interviews with those who gave orders, those who took orders,

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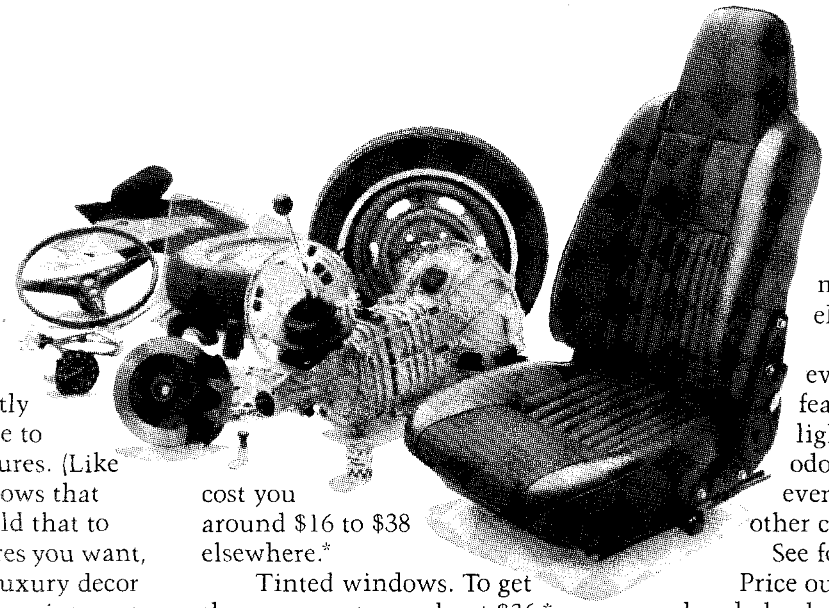

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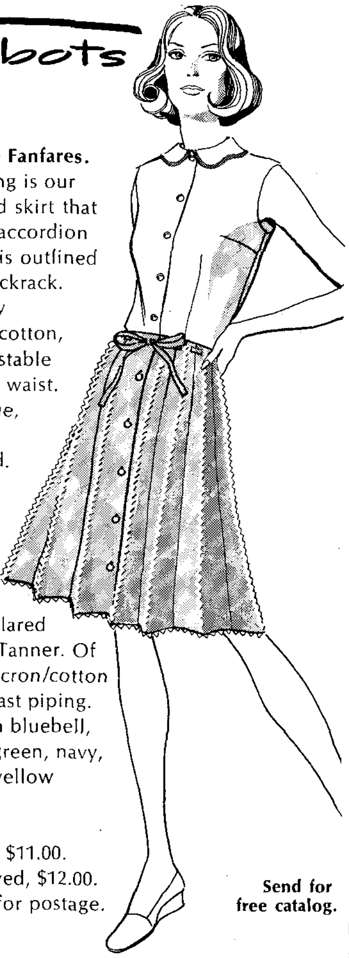

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those who suffered and survived, and those who went on as before. The period (1940-44) is so recently past that it's still possible to delve into the psychology of history: "The Sorrow and the Pity" is about the effects of character upon political action.

It's one of the most demanding movies ever made—four hours and twenty minutes of concentrated attention. Narration, titles, voice-over translations that finish quickly so you can hear the actual voices in their own languages—Ophuls employs a variety of devices to get the data to the audience, and he tries to be aboveboard, as in the matter of the voices. (You can decide for yourself whether the dubber misrepresents the person's character.) You really process information, and doing so makes you aware of how falsely the phrase is applied to the unconscious soaking up of TV commercials and banalities. You experience the elation of using your mind—of evaluating the material, and perceiving how it's all developing, while you're storing it up. There's a point of view, but judgments are left to you, and you know that Ophuls is reasonable and fair-minded, and trying to do justice to a great subject: how and why the French accepted Nazism, and then rejected what they had done, so that it was lost even from public memory. The Occupation has long been demythologized in print, and this film does not attempt to replace the printed studies; it does something different. On film it's possible to incorporate the historian's process of research—to show us the witnesses and the participants, so that we are put in the position of the investigators, seeing what they see and trying to frame some conclusions. Inevitably, the picture gets better as it goes along: the more we have to work with, the more complex our own reactions become. There's grace in Ophuls' method; he helps us to see that the issues go way beyond conventional ideas of assessing guilt—that the mysteries of human behavior in the film are true mysteries.

The cast is made up of the known, such as Pierre Mendès-France, Georges Bidault, Anthony Eden, and Albert Speer, and the unknown, who are principally from the small industrial city of Clermont-Ferrand, which the movie focusses on. Clermont-Ferrand is near Vichy and was the home base of Pierre Laval, and it is in the Auvergne, which was one of the centers of the Resistance. Those interviewed are, in their own terms, articulate and clearheaded, and are at their ease; *no one* appears to feel

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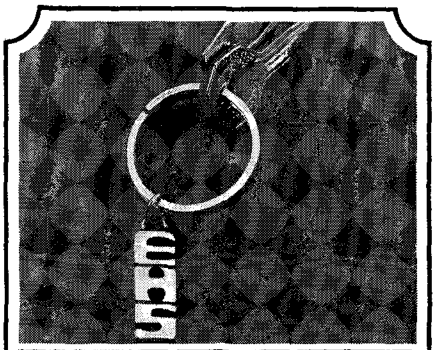

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any guilt about past conduct. Whatever they did, they have, from what we can see, made their peace with themselves, though an upper-class Frenchman who fought alongside the Nazis in Russia appears to be almost in mourning for his duped and wasted youth. Some are less reflective and more open than we could have expected: Pétain's Minister of Youth discusses his morale-building among French children; a former Wehrmacht captain who was stationed in Clermont-Ferrand defends his right to wear his war decorations. From England, Anthony Eden, who used to look weak and foolish, suggests that anyone who did not live under the Occupation cannot judge the French. He comments on those days with great dignity and humanity: who would have expected him to age so intelligently? The heroes of the Resistance are the most unlikely people—stubborn, rebellious "misfits": a genial, though formidable, farmer, a bohemian aristocrat who at one time smoked opium, a diffident homosexual who became a British agent in France in order, he says, to prove that he was as brave as other men. They're not like the fake heroes in Hollywood's anti-Nazi movies, and they're impossible for us to project onto: we would be diminishing them if we tried. People who suffered tell stories of iniquities that we can scarcely bear to hear; others remember nothing, selectively. One man saw no Nazis and doesn't believe Clermont-Ferrand was occupied.

Were the French perhaps so passive in the Second World War because they were still depleted by their courage and sacrifices in the First World War? All sorts of speculative questions come to mind, and there are aspects of what happened in France in the early forties that I wish the film had clarified; for example, that the Germans had taken two million French prisoners of war, and that the promise of liberating these prisoners was a factor in encouraging France to fill its industrial quotas. Still . . . the French coöperation was peerless. The picture neglects to point out that the French Communists, serving the interests of Russian foreign policy (it was during the period of the Hitler-Soviet pact), were collaborationists until Hitler invaded Russia. But then the movie doesn't go into the close ties between the Catholic Church and the Vichy government, either. There are probably countless areas in which specialists would ask for more emphasis or greater detail, but that is true of almost any written work of history, and such works do not provide the

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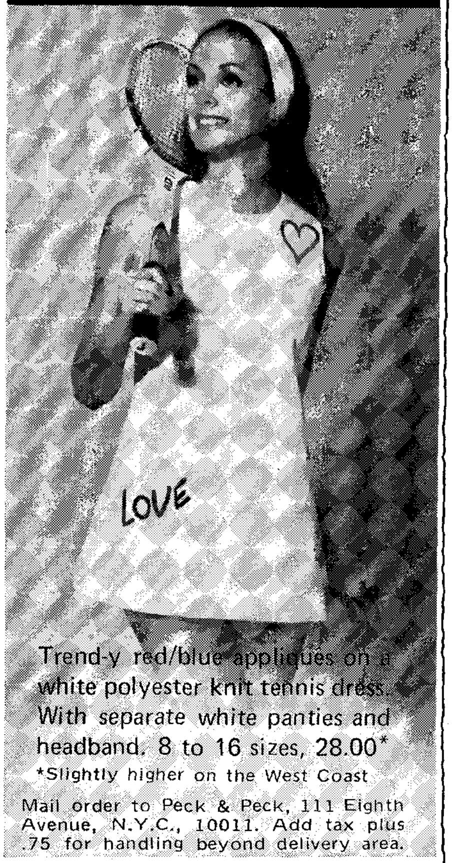

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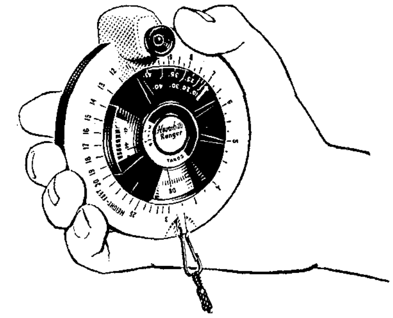

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psychological understanding that this film does.

We see that those who were inactive were not necessarily indifferent to the suffering of others: a sane, prosperous pharmacist sits, surrounded by his handsome children, and, without attempting to deny knowledge of what was going on, tells his reasons for remaining apolitical. They're not bad reasons—and who could call a man a coward for not having the crazy, aberrant nobility it takes to risk his life (and maybe his family)? (It's especially difficult for a woman to pass judgment, since women are traditionally exempted from accusations of cowardice. For most women, the risk of being separated from their children is a sufficient deterrent from any dangerous political acts, and who considers them immoral for that, even though they constitute a huge body of the docile and fearful?) It's only when you think of a country full of decent, reasonable people with such good reasons that you experience revulsion. The inactive, like the pharmacist, and the actual collaborators are easily accessible to the camera—perhaps more so than the resisters, because there is something special about the nature of intransigence, and maybe for that we need a literary or dramatic artist rather than a documentarian. But this film goes very far in bringing those approaches together. There may be a streak of romanticism in the way Ophuls leads us to the theory that only loners and black sheep—and workers and youth—are free enough to resist authority; I wasn't convinced, but I was charmed. I would like to know more of Louis Grave, the Maquis farmer who was betrayed by a neighbor and sent to Buchenwald: what formed this man that makes him so solid and contained, so beautifully rooted? When he tells about an old German's slipping him an apple when he was starving, you know that "documentary" has no boundaries. Louis Grave and his apple might be out of "Grand Illusion," while Maurice Chevalier singing away becomes a little like the m.c. in "Cabaret." We enjoy him, yet his entertainer's soul is perplexing; there's an element of the macabre in his good cheer. A German comedian entertaining troops and straining for laughs has that same macabre gaiety—the emblem of show business—but he's coarser (and German), and so less troubling. Chevalier's recurrent presence gives the film a lilt of satirical ambiguity.

It was in France during the Occupation that Simone Weil wrote, "Noth-

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ing is so rare as to see misfortune fairly portrayed. The tendency is either to treat the unfortunate person as though catastrophe were his natural vocation or to ignore the effects of misfortune on the soul; to assume, that is, that the soul can suffer and remain unmarked by it—can fail, in fact, to be recast in misfortune's image." She was writing about the "Iliad," but she was writing about it because the Nazis, like the Greek and Trojan warriors, were modifying the human spirit by the use of force. It is the highest praise I can offer "The Sorrow and the Pity" to say that in it misfortune *is* fairly portrayed. One is left with the question of whether (and how much) the French really have been marked—in the long run—by the Nazi experience.

SCREWBALL comedy flourished in the thirties and died of exhaustion in the forties; Peter Bogdanovich tries but fails to resuscitate it in "What's Up, Doc?" He tries in the most direct, most naïve way—not by transforming the material with a new point of view, and not by distilling it to its frivolous essence, but simply by reproducing the old plot situations and gags and characters. The result isn't effective as nostalgia, because the spirit is missing. It works only fitfully and at a rather low level—with the old gags themselves, which are sometimes funny, even when they're dragged in and sloppily executed (the way they are when they're reworked on TV). Bogdanovich's affection for old-movie comedy seems genuine, and the movie's imitativeness is too childlike to be offensive (though those whose work has been so blatantly imitated may feel differently). But the picture is ridiculous and noisy and finally depressing, because his handling of the old routines lacks the immaculate timing that made them truly comic. (Even the camerawork is insecure, and the action poorly framed.) Its chief source, "Bringing Up Baby," with Cary Grant and Katharine Hepburn, was a lovely piece of lunacy—an extended absent-minded-professor joke, its underlying assumption being that if you repress your instincts you can get so disjointed you can forget your own name. The hero, a square pedant engaged to a bossy girl pedant, was a paleontologist, putting together the bones of a dinosaur. Katharine Hepburn was a live-animal lover, an uninhibited girl with a fluffy wild mane, and her dog ran off with one of his treasured bones. She undermined the orderly absent-mindedness of his life, and everything in the movie flowed

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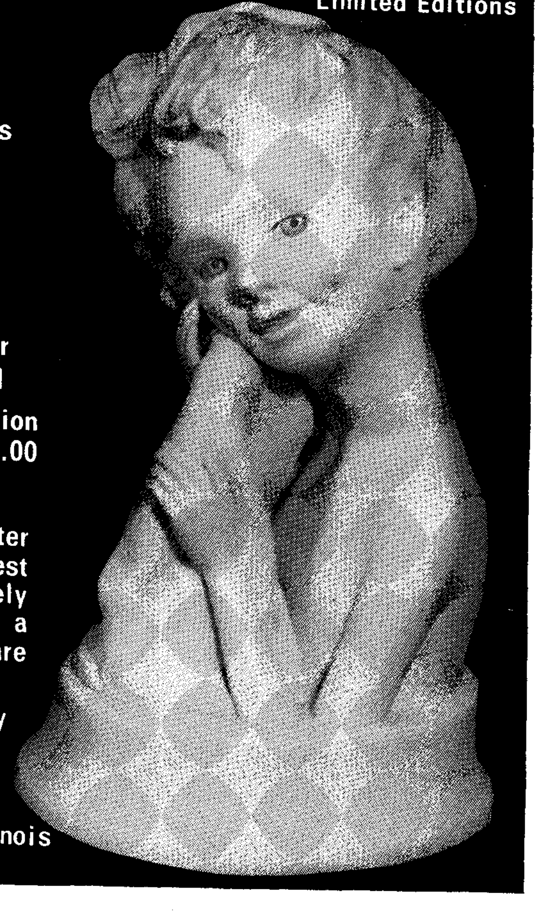

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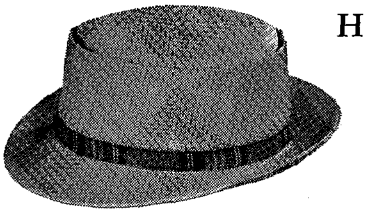

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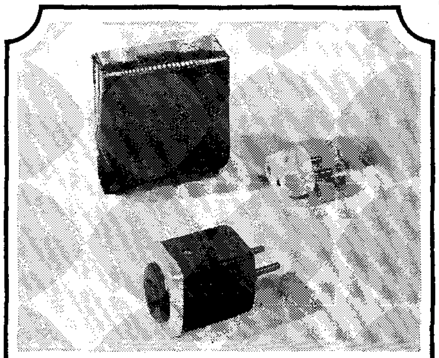

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from that. "What's Up, Doc?" takes the plot and the externals of the characters but loses that logic. It goes off every which way, restaging gags from Buster Keaton and Laurel and Hardy and W. C. Fields, plus a lot of cornball devices; for example, the Hepburn character, who should be all instinct, is now endowed with a photographic memory for the courses she took in various colleges. That joke never was very good.

Ryan O'Neal and Barbra Streisand are asked to play Cary Grant and Katharine Hepburn; they're given no other characters. O'Neal is the film's chief embarrassment as he diligently goes through the Grant motions; he can't do Grant's bewilderment, and he kills his own appeal when he tries. It took Cary Grant a long time to become Cary Grant. O'Neal's blank stares and double takes are totally on the outside—just mugging. (Dean Martin used to be able to do something close to Grant's sexy-*farceur* style; he held his head the same stiff-necked way, but his spirit was different—well oiled and always a little lewd.) Streisand comes off much better than Ryan O'Neal, because she doesn't try to be Hepburn, she does her own shtick—the rapid, tricky New Yorkese line readings. She is tanned and elegant, and she works at making brashness adorable, but she doesn't do anything she hasn't already done. She's playing herself—and it's awfully soon for that. Bogdanovich has made her glamorous in an almost ordinary glamour-queen way. She can't be made completely ordinary, because she has that archaic look and her skeptic's predatory instinct.

Streisand sings a sizzling version of "You're the Top" behind the titles, and there's a moment in the movie when the audience cheers as she starts to sing "As Time Goes By," but it's just a teaser, and it has to last for the whole movie. Why? Nothing that happens in the movie—none of the chases or comic confusions—has the excitement of her singing. When a tiger pretends to be a pussycat, that's practically a form of Uncle Tomism. Yes, she's more easily acceptable in "What's Up, Doc?" than in her bigger roles, because she doesn't tap her full talent and there is an element of possible unpleasantness, of threat, in that red-hot talent—as there is in Liza Minnelli at full star strength—which produces unresolved feelings in us. It's easy to see that those people who haven't liked Streisand before could like her this time, because here her charm has no drive. She doesn't have the cloudy look in her

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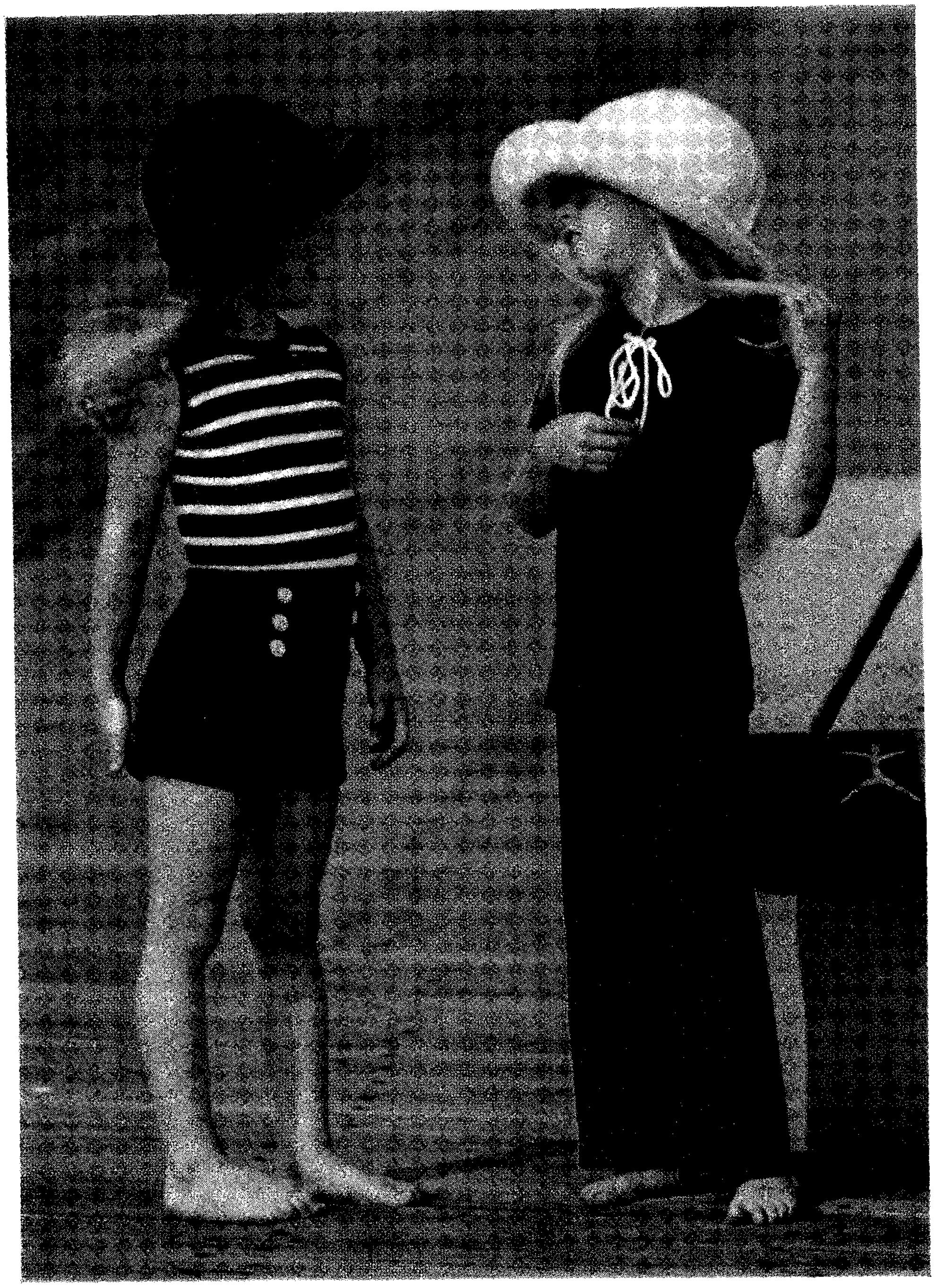

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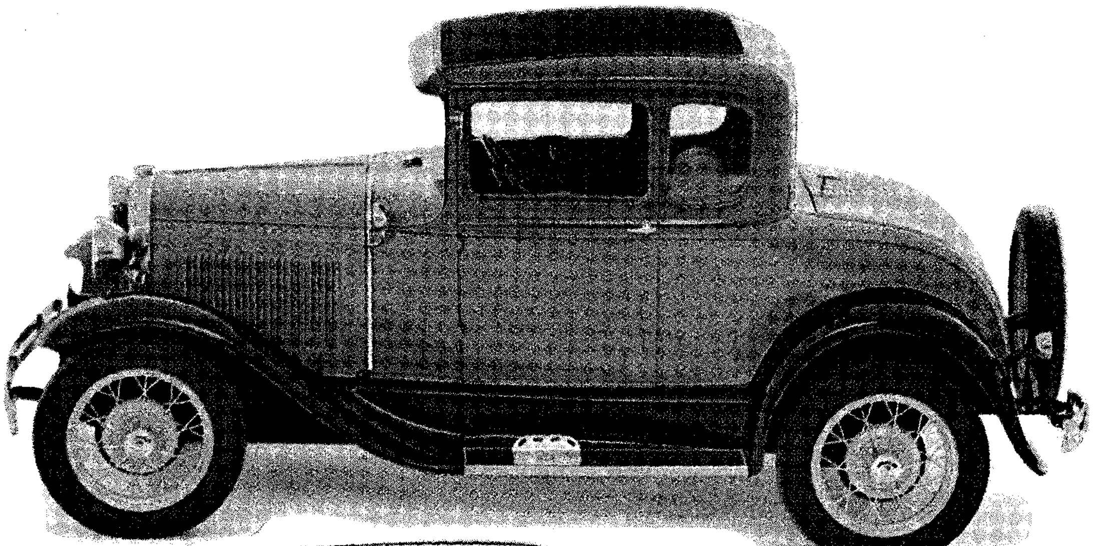
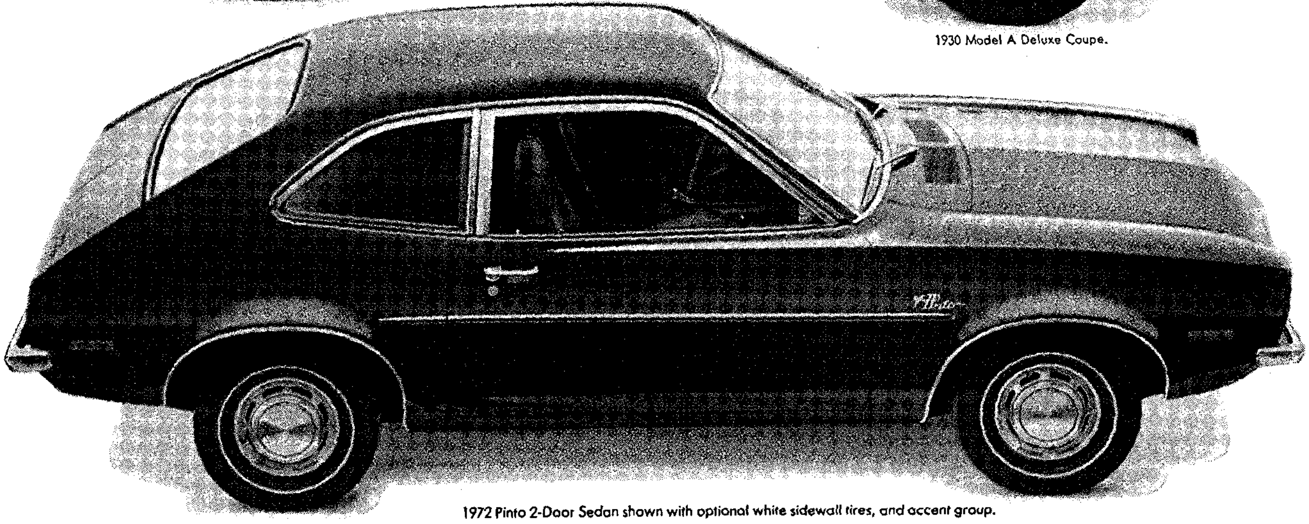


1930 Model A Deluxe Coupe.



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eyes that's part of her strangeness. But movies don't need another baby-blue-eyed plastic siren, movies need the actress who sings—the one who could bring vibrancy even to the clanking, big "Hello, Dolly!" When she and Louis Armstrong greeted each other, they were drunk on love. There's no love at that level in "What's Up, Doc?" She brings it some sex, but there's no romance in the movie (it's too stupid). And that's what "Bringing Up Baby" was—a *romance*.

"What's Up, Doc?" is saved intermittently by the character bits; I laughed out loud once when Sorrell Booke tripped Mabel Albertson, and again when they wrestled in a hotel corridor. Madeline Kahn is funny, although, finally, on too single a track, as the bossy fiancée, and Liam Dunn has a moment or two as a judge—another facsimile. But it's too early in the history of movies for this feeding off the past, and, as it is, there's almost nothing left; TV has picked those bones clean. It's the tragedy of TV that instead of drawing upon new experience and fresh sources of comedy it cannibalizes old pop culture. When movies do the same now, they aren't even imitating movies, they're imitating TV. The result is too infantile to be called decadent; it's pop culture for those with bad memories for pop culture, or so young they have no memories.

And there's an essential ugliness to the picture's final zinger, in which Streisand and O'Neal mock "Love Story." It's one thing for outsiders like me to call "Love Story" a boobish movie, but when O'Neal, who starred in it (and who gave it all the conviction it had), turns around and dumps on it, and, implicitly, on the people who loved him in it, all he does is expose his own cheap, cute cynicism. Why is it so difficult for actors to say no?

—PAULINE KAEL

EDITORS' NOTE: Pauline Kael and Penelope Gilliatt alternate as *The New Yorker's* film critic, in periods of six months each. With this column, Miss Kael concludes her current six-month period. Miss Gilliatt will appear next week.

●

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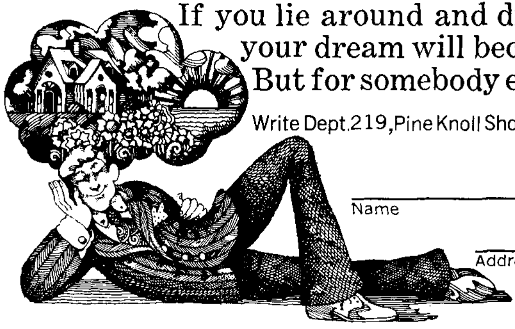

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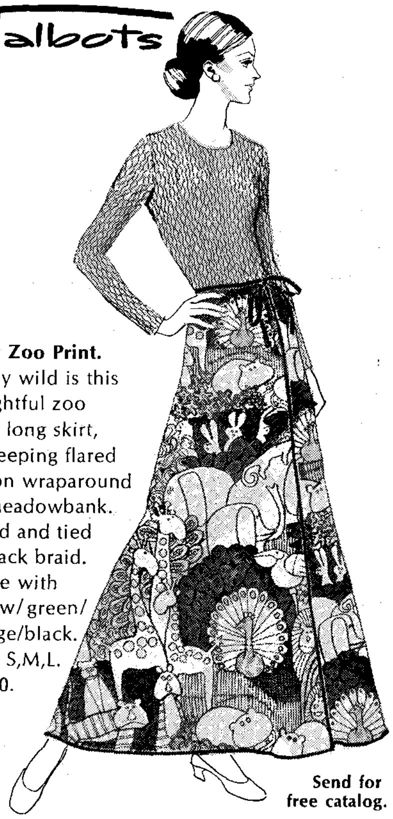

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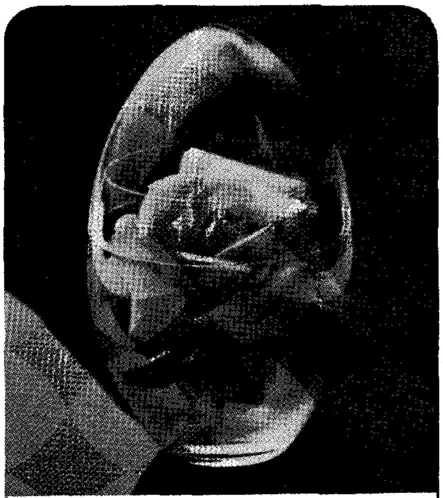

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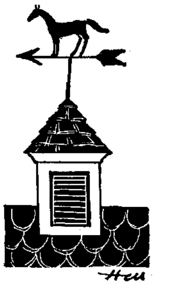
THE RACE TRACK

The Luck of Rokeby



WITH Aqueduct still strikebound, the principal race last Saturday was the Bougainvillea Handicap at Hialeah. Fourteen horses ran, and the winner turned up in Star Envoy, a 12–1 shot, who did the mile and three-sixteenths over the turf in 1:52⅗, a new track mark for the distance. Two lengths away, Bagdads Rocket barely headed Double Entry and Gleaming for the shorter ends of the $73,300 purse. Star Envoy is owned by Lloyd I. Miller, a Cincinnati businessman, who a few years back owned that gallant little filly Dark Mirage. The stunner of the afternoon, even though most of the winners were long shots, was the showing in the Bougainvillea of Paul Mellon's Run the Gantlet, who was voted the best on grass last year, and who was making his first start since winning the Washington, D.C., International in October. He came in tenth. According to the charts, it wasn't his or his rider's fault; from the beginning he got into close quarters—there were just too many horses—and he couldn't get out. Anyhow, luck seems to be out for the Rokeby Stable, for earlier in the week Key to the Mint, a half brother of Fort Marcy, seriously injured the stifle joint of his right hind leg coming out of the stall gates at the start of a race, and there's no telling when he can be under colors again. Too bad. At the end of last season, a number of horse-watchers, including your correspondent, thought he'd be one of the top three-year-olds. Curious, isn't it, that it is invariably the good ones that things happen to? Elliott Burch did saddle a winner for the Rokeby Stable last week—Farewell Party, who stormed through his field to bring off an 18–1 chance in the Royal Palm Handicap. Both he and Run the Gantlet are eligible for the Widener Handicap this weekend.

FILLIES from New York dominated the Flirtation Stakes at Pimlico last Saturday. Sumatra won it by eight lengths from Reta N., and Brenda Beauty, who went to the post odds-on, was third. Both Sumatra and Brenda Beauty raced at Santa Anita this winter, and Sumatra beat Brenda there with eight pounds in the weights in Su-

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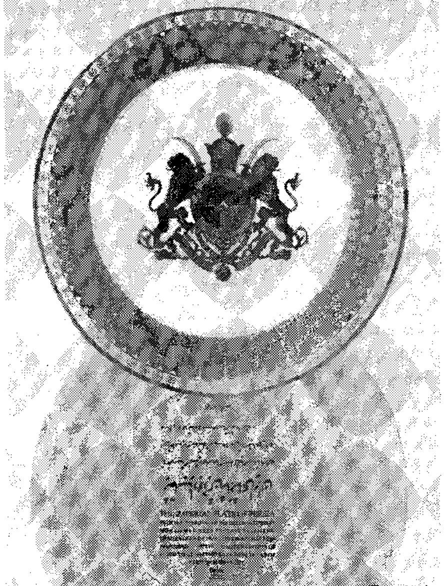

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matra's favor; this time it was only three pounds.

Offhand, I'd say that Duck Dance is a good horse to remember for opening days. As you know, he won the Paumonok at Aqueduct, and last week he went down to Baltimore and ran six furlongs in track-record time in winning the Old Line Handicap on the opening day at Pimlico. With the Big A closed, a lot of New York horseplayers made the trip, too, and attendance and betting hit new highs for a Monday opener. Last Saturday, there was a crowd of 19,825 and a mutuel handle of $2,033,246. Not bad, but no record.

NEITHER Royal Owl nor MacArthur Park came out for last weekend's San Felipe Handicap, one of the public trials for next week's Santa Anita Derby. In their absence, Solar Salute ran his winning streak to six straight, beating Quack, Indian, and five others. He isn't in the Santa Anita Derby, but he could be if John Elmore, who owns him, makes him a supplementary entry, which I daresay he will.

AS negotiations continue between the New York Racing Association and the mutuel clerks, owners, and trainers of the nearly two thousand horses stabled at Belmont Park and Aqueduct are becoming more and more exasperated. After all, they've lost innumerable chances at the $950,000 offered in the stakes and purses that haven't been run. What's more to the point, they're around $700,000 out of pocket, the care and feeding of a race horse in training being roughly twenty dollars a day, seven days a week. Now the talk of shipping away is growing. The first notable departure—for Hollywood Park—was a string of thirty-three animals owned by William Frankel, a Wall Street broker, who runs them in his wife's name. Mr. Frankel blamed the entire situation on the state and on off-track betting. No doubt about it, Hollywood Park will have plenty of runners when it opens on April 12th—and they couldn't race at a nicer place. —AUDAX MINOR

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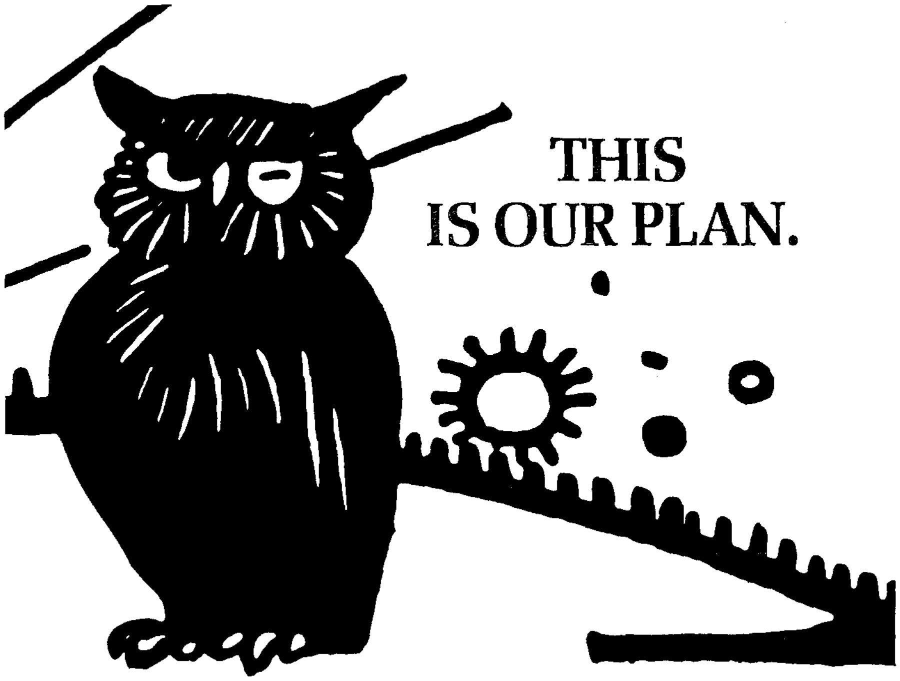
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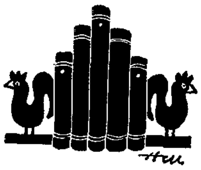
BOOKS

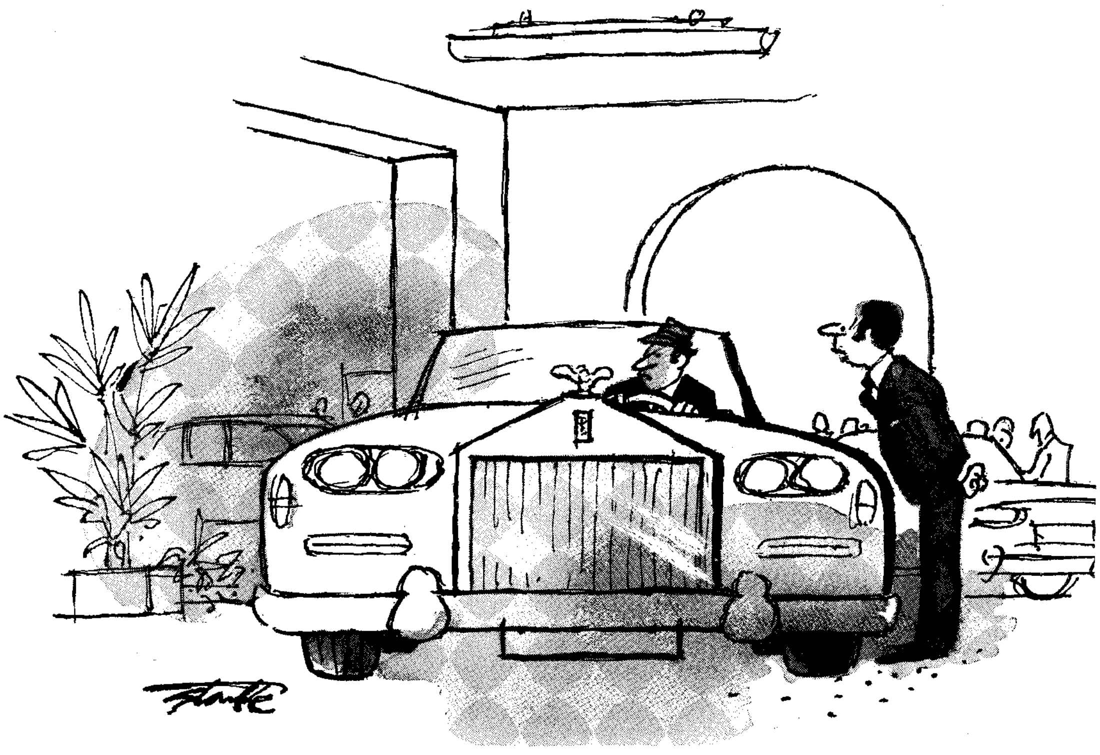
The Error of Their Ways



IT is impossible for me to decide how much to accept of the main thesis that David Bergamini argues in the immense study he has called "Japan's Imperial Conspiracy" (Morrow). Bergamini says that the Emperor Hirohito himself plotted and managed his country's military expansion—that he was not a figurehead but an active doer, and quite as responsible for Japan's aggressions, oppressions, and atrocities as Hitler was for Germany's. Even before I read Bergamini, I was in agreement with one of his ancillary arguments—that our war-crimes trials were a failure; they have always seemed to me more like show trials than real ones, and I do not believe in capital punishment. Bergamini's feeling that history is "not determined by blind economic and demographic forces" but is the work of "a few willful individuals who take upon themselves the professional duties of government" is inadequate, though it works very well in this book, probably because history is a stew with an ever-changing recipe (sometimes kings, sometimes money, sometimes climates provide the basic ingredient). Yet despite my reservations, I found Bergamini's detailed chronicle thoroughly absorbing. Its particular merit is that the author, in recounting the activities of those he has designated history-makers (a few high-placed willful Japanese), describes them as individual human beings who display the entire variety of human nature, who are not inscrutable Asians but skilled, able, and intelligent policy-makers, men whose nationalism entailed (as whose nationalism eventually has not?) hostility to other nations.

Bergamini, an American born in Japan, was moved to China by his parents when he was eight, and spent his adolescence in a Japanese internment camp in the Philippines. In order to write this book, he tells us, he had to relearn Japanese. He is out to share his knowledge, not to parade it, and he takes trouble—the right kind of trouble—with translations as almost no one else I know of has done. The literal meanings of everyday Japanese words can make Japanese culture seem remote—as they do, for example, in Ruth Benedict's "The Chrysanthemum and the Sword." But how accurately would the American word "goodbye" in its literal meaning of "God be with you" represent American culture? (I am sorry to have to use the word "culture," for that once sophisticated social-science concept often leaves us nowadays with a naïve view of our fellow-men; it seems to be employed to exaggerate the distinctions within mankind, and all too often it belittles the rationality of, say, the poor—or the rich—or Africans or Asians while emphasizing their quaintness or pathos or waywardness.) Bergamini treats most of his Japanese with what might be called appalled respect, and a few—the book has several heroes, among them a liberal, cosmopolitan, but politically ineffectual prince, and some gallant soldiers—with admiration. And though he does indeed write about a distinctive Japanese culture, he always moves translation the further step that is needed to make what Japanese do comprehensible in any terms or in any language. For one instance, he explains that the name of the Black Dragon Society, which sounds sinister, means only the Amur River Society. (The Chinese call the Amur the Black Dragon.) The society had once been fairly sinister, though it was moribund for most of the time Bergamini writes about, but its name is no more sinister than such a name as Snake River Property Owners' Association or Cape Fear Ecology Committee.

The effect of Bergamini's dedicated labors on language and on every other topic he discusses is to suggest—though he hardly ever does so directly—that any number of institutions that have been presented to us as peculiarly Japanese have turned up someplace or other in Western civilization. When you think of a pagan, polytheist empire with a variety of cults, including a state religion with an army of gods, none of whom (including the deified emperors) is God, and whose noblemen are supposed to prefer death to dishonor, what comes to your mind is Rome—not exotic at all but homework. Then, too, a lot of the reactionary Japanese political theory to which Bergamini refers strikes the same themes as Western reactionary theory—the emphasis

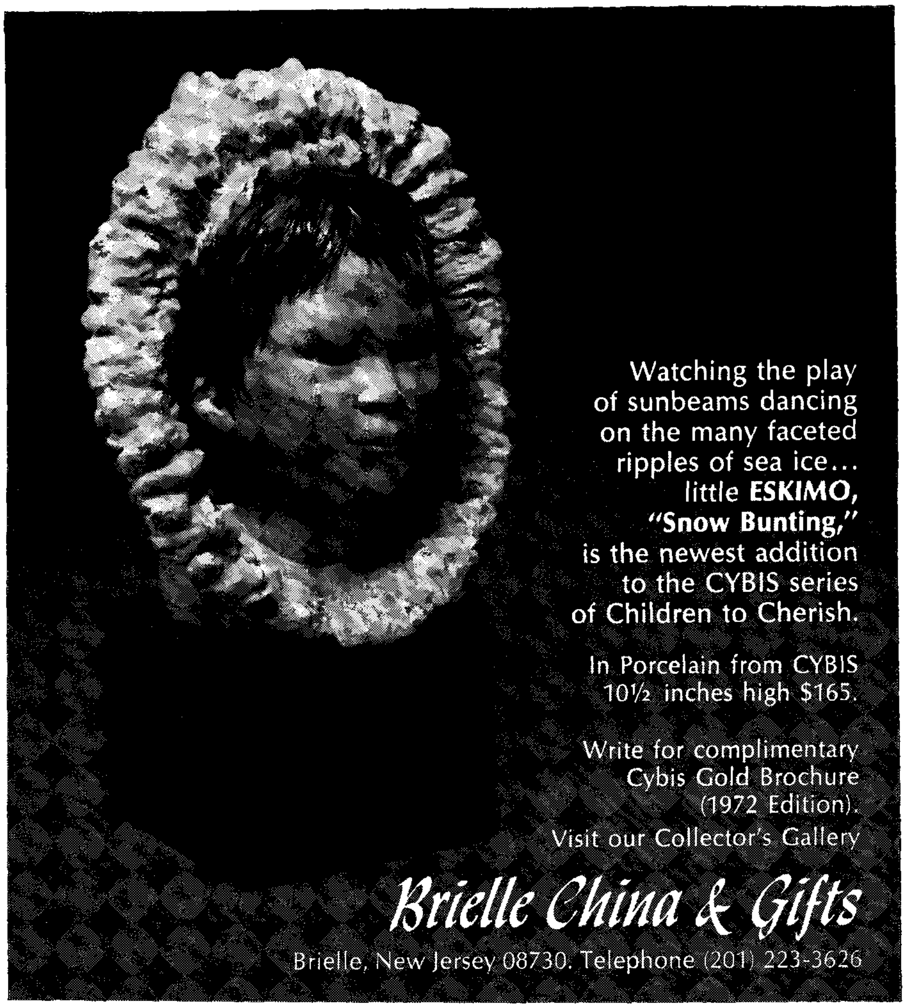


"You don't *__like__* *it? I would be extremely interested in hearing you enlarge on your reasons for that, sir."*

on hierarchy or calling a nation a family. (The ill effects of bad metaphors are the same the world over.) I do not mean that Bergamini's book offers no differences between East and West; of course, it does. Still, his Hirohito will remind anyone, I am sure, of Kaiser Wilhelm II. The Japanese Emperor appears considerably more intelligent and self-controlled, but both were boys with a minor physical disability (Hirohito had inherited a slight nervous disorder, a shuffling gait, and the Kaiser had a defective arm because of an injury at birth) who were raised among soldiers and driven to excel at martial and physical exercises even though they knew that they themselves could not have qualified as conscripts in their own armies. That seems to have had the same sort of unhappy effects on their personalities. One sees, retrospectively, how unfortunate it has been that long after kings stopped leading their armies in battle their sons the world around were nevertheless trained in a military atmosphere: none of the high-life indulgences from which the austere warrior's life was supposed to protect princelings costs as much as the cheapest army or navy.

The two themes of anachronism and expense sum up Japan's imperial venture. She began her wars of expansion with the Sino-Japanese War of 1894-95, when the other imperial powers were still enlarging their empires, but she continued, and even stepped up, the effort long after the others had found colonialism unprofitable and unpopular for all sorts of reasons. Quite aside from wanting to acquire raw materials, Japanese expansionists, according to Bergamini, felt a mission to free Asia of white domination. Like all other imperialists, they suffered delusions of their own lovability, but none of the subject peoples found Japanese rule more attractive than Western exploitation. One trouble, evidently, was that Japan was too poor to run an empire. Bergamini attributes some of Japan's atrocities (the way she drained Manchuria, for one) to her poverty. Her poverty also explains, he thinks, why the Japanese worked Allied prisoners of war to death: "The budget for administering, guarding, and feeding these captives could not be calculated at less than about $10 million a year or $30 a man. . . . This was one six-hundredth of the national revenue and more than Hirohito's frugal economists . . . cared to spend."

There were other motives for Japanese atrocities. One was haste. The Japanese inaugurated the aerial bomb-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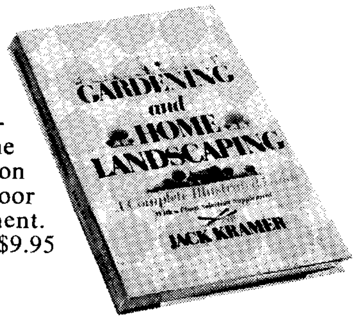
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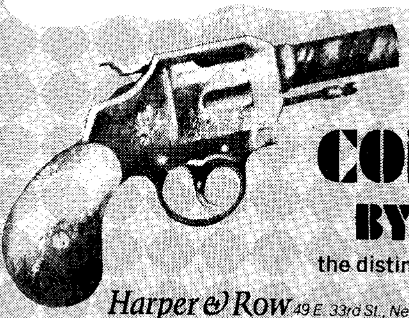
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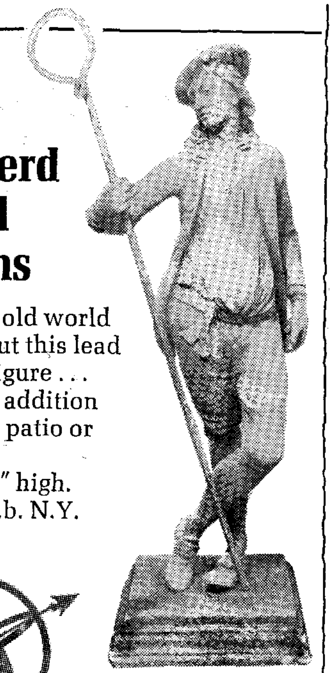

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ing of civilians; this was at Shanghai, in 1932, and it was done in order to wind up an "incident" that had dragged on far beyond schedule. (A similar reason impelled us to fire-storm Tokyo and use the atomic bomb.) Discipline was another motive. The terrorist sack of Nanking, in 1937, like the Nazis' bombing of Rotterdam, was meant to demonstrate that resistance was useless, and the Bataan death march was meant to punish resistance that had already occurred. Bergamini's Japanese troops seldom, in either rage or panic, get out of hand—as did Allied troops in both the European and Pacific theatres. He insists that Japanese atrocities were well-thought-out policy—including such legalistic precautions as insisting on unconditional surrender in the field and reminding the world that Japan had signed no prisoner-of-war treaties—and he attributes this policy to the Emperor, to some of his closest blood relations, and to generals he selected. Bergamini's documentation of this, as of almost every important point he tries to make, is extensive, and it has convinced Sir William Flood Webb, the Australian chief justice at the Tokyo war-crimes trials. Since I do not know Japanese, I cannot say his case is irrefutable, but it reads to me like a true bill, a plausible grand-jury indictment.

Bergamini means his book as not only an inquest but a warning. He believes that the power of the Emperor remains intact and that Japanese parliamentary politics are, as they were before the war, a charade in which the actors themselves are often deceived, and he fears that there is no institutional brake within Japan to stop her leaders if they again wish to embark on desperate schemes. It is not easy to accept Bergamini's forebodings. He tells of Japan's attempt, before Commodore Perry came a-calling, to maintain her insularity and thus forestall the change that had occurred in the rest of the world; then he tells of Japan's attempt to change the world to suit Japan. Change came, but not as the Japanese, and perhaps not precisely as any of the world's other peoples, wished or planned or foresaw. And some changes do seem to preclude Japanese military ventures. China, for example, is probably stronger in relation to Japan, even though she remains industrially inferior, than she was in the thirties. The value of Bergamini's work is less in its judgments or predictions about Japan's present and future than in its total immersion in the Japanese past and its insistence on the intelligence of Japanese public men. Reasonable men do-

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*Time Magazine $7.95 Little, Brown

ing (mostly) wrong things—this, in a broad sense, is the subject of Bergamini's history, as it is, alas, of most history. And however much irrationality moves us human beings, it is through reason that we understand each other.

—NAOMI BLIVEN

BRIEFLY NOTED

FICTION

THE STONE AND THE VIOLETS, by Milovan Djilas, translated from the Serbo-Croatian by Lovett F. Edwards (Harcourt Brace Jovanovich). This collection of thirteen diverse pieces eloquently expresses the author's love for Montenegro and his disillusionment as a Socialist revolutionary. Two of the pieces are folk tales—barely more than anecdotes—but two others, concerning a miller's wife and an amorous country woman, amply develop themes of desire and generosity in folk settings. Of the remaining nine pieces, four deal with Montenegrin customs, particularly political customs, and express the defiance of a country that has resisted external domination for centuries; the five others tell of wartime atrocities—murder in the name of justice, rape in the name of conquest, and rape in the name of revenge—and display a coolness and an honesty that amount to compassion for both the victims and the culprits. One story in particular—"The Brothers and the Girl"—shows heroism growing out of suffering and guilt. A humane and refreshing book.

A DARK CORNER, by Celia Dale (Walker). An elderly working-class London couple with a stuffy little house on a respectable street take in a castaway Jamaican youth and finally keep him on as a boarder. Mrs. Didcot is fat and dropsical, and Mr. Didcot is small and pursed and dogmatic. Their communication is largely ready-made: "Rise and shine;" "Sleep tight, make sure the bugs don't bite;" "No rest for the weary." They are fascinated by the black youth—"as though he were some rare but domesticated creature whose ways were marvellous." Miss Dale, working quietly and economically, shows us these three mild-mannered people from every perspective, and then opens the door on a nightmare.

GENERAL

WITHOUT STOPPING: AN AUTOBIOGRAPHY, by Paul Bowles (Putnam).

Gordon Lightfoot deserves to be called "troubadour" more than any other singer today. There could be no more natural album for him to create than his latest: "Don Quixote."

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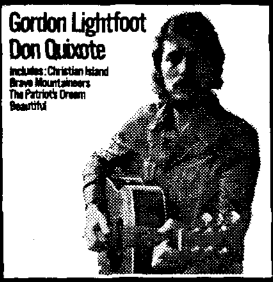

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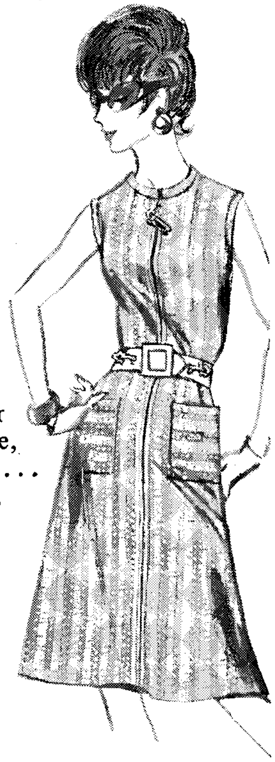

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The author is a respected composer as well as a writer of very fine prose—fiction, journalism, and criticism. He describes, with realism and feeling, his unhappy precocious childhood amid clutches of adult relations—many nutty, some nasty, some nice. It was then, he says, that he decided the world was unsympathetic and that he could survive only by *concealing everything that mattered* most to him—his emotions, his intentions, his hopes. Unfortunately, shortly after he reaches adolescence in this book, Mr. Bowles begins to treat his readers as he did his parents and aunts. We are told facts, shown landscapes, and introduced to famous people, but we are kept at more than arm's length. If an autobiographer thinks there is no middle ground between telling everything and telling nothing, he must take the first choice; Mr. Bowles has taken the latter and proved that it does not work.

THE GRIMKÉ SISTERS FROM SOUTH CAROLINA, by Gerda Lerner (Schocken). A sympathetic—it could not be otherwise—and illuminating biography of two women whose parents were slaveholders and who, repelled by slavery, discovered in working for its abolition the extent to which women, white as well as black, were slaves. Even when they were children, both the sisters—Sarah, born in 1792, and Angelina, born in 1805—felt that everything about slavery was disgusting; they grew up to face the fact that no institution in the South could stand against it. They moved North, with no plan except their own escape; later, because Angelina could not help writing an encouraging letter to William Lloyd Garrison, the sisters were caught up in the unpopular and "unladylike" antislavery movement. Mrs. Lerner does not dwell on the pathos or the courage of their lives but lets these aspects reveal themselves as she describes the inner fears, and the hostility from without, engendered by such innocent doings as speaking in public and changing church affiliation.

•

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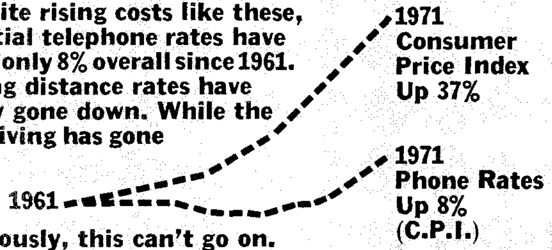

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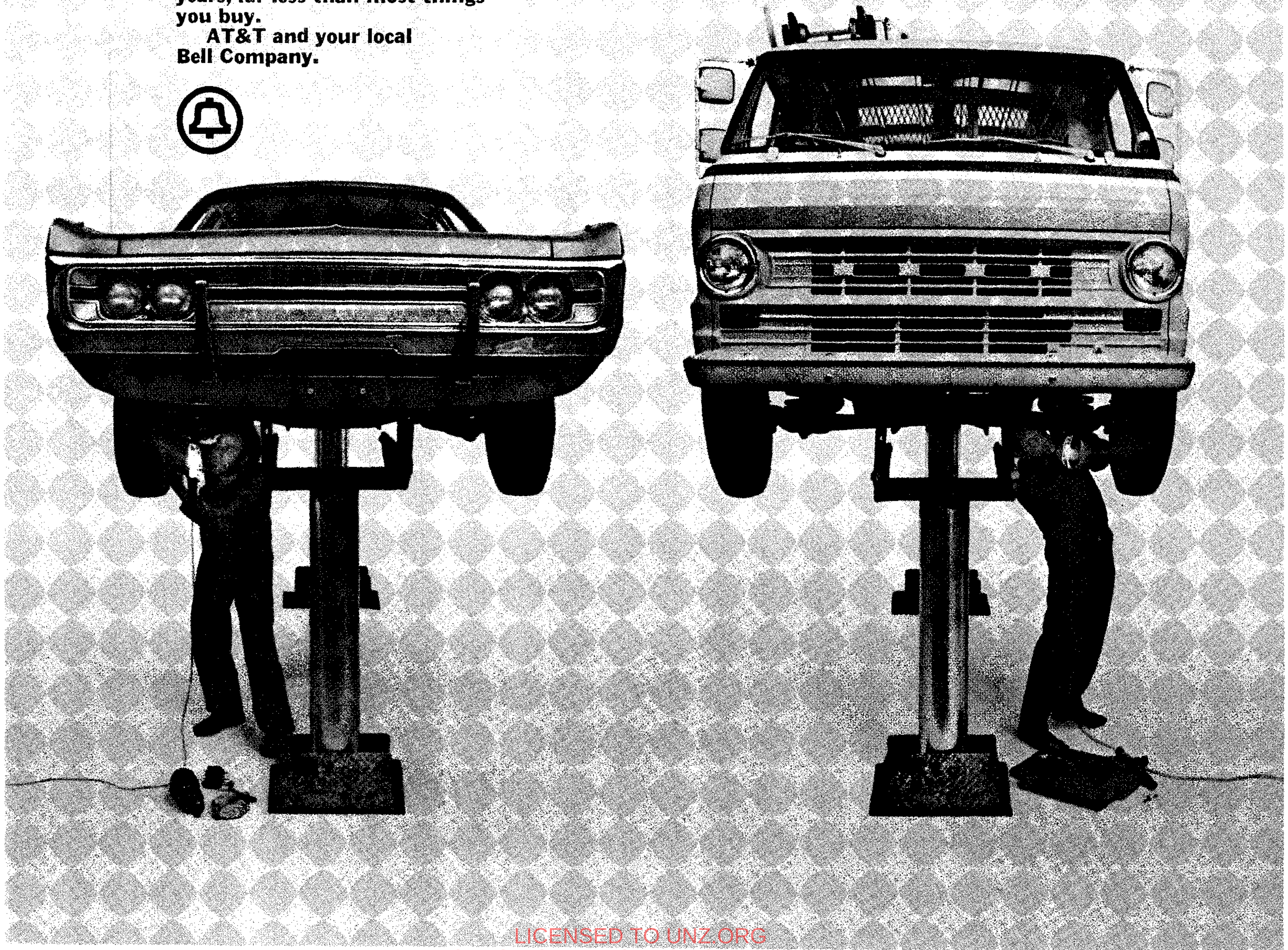

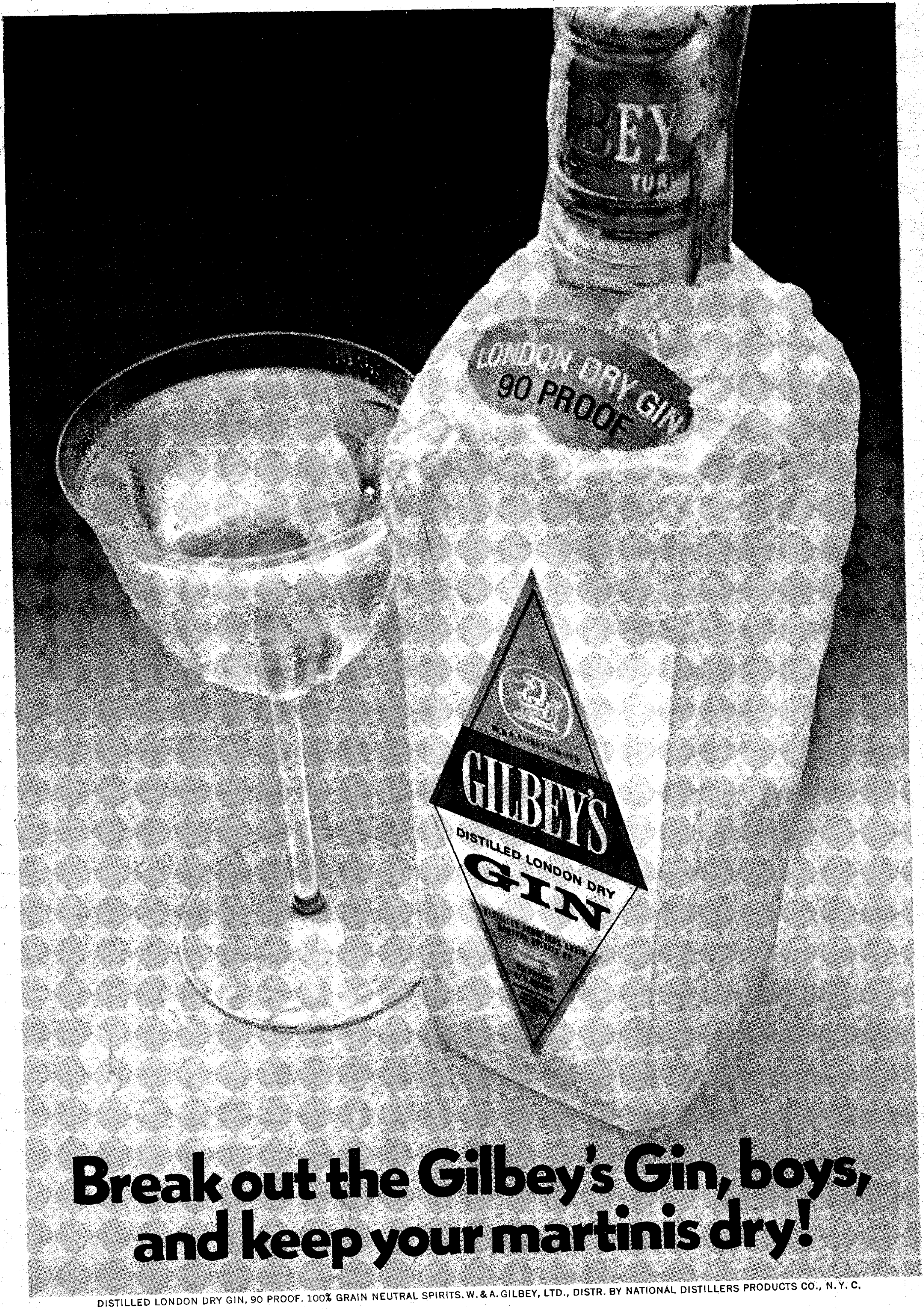
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